

# **TITLE 18 ZONING**

1 **DRAFT Title 18 (Zoning) Revisions**

2 **Proposed** Chapters:

3 **Editors Note::** Chapters in **bold** are proposed for revision in Phase I of the Code Update  
4 Project. Remaining Chapters would be revised as part of Phase II of the Project.

5 **18.00 User Guide** [New Section]

6 **18.02 General Provisions** [Note: Also incorporates existing Ch. 18.06 Districts and  
7 Maps]

8 **18.04 Definitions**

9 **18.06 Residential Zones (R-C, RS-1, RS-5, RS-7, RM-10, RM-16, RM-20)**<sup>1</sup> [Note:  
10 Moved from ACC 18.08, 18.10, 18.12, 18.14, 18.6, and 18.18. As noted above, existing  
11 Ch. 18.06, Districts and Maps moved to ACC 18.02]

12 **18.08 Residential Manufactured Home Park (R-MHP)** [Note: Moved from ACC  
13 18.20]

14 18.10 Reserved for Phase 2 [Note: Phase 2: Residential Transition Districts  
15 (Residential-Office and Residential Office-Hospital)]

16 18.12 Reserved for Phase 2 [Note: Phase 2: Commercial Districts (C-N, C-1, C-2, C-3,  
17 C-4)]

18 18.14 Reserved for Phase 2 [Note: Phase 2: Downtown Urban Center (DUC)]

19 18.16 Reserved for Phase 2 [Note: Phase 2: Industrial Districts (M-1, M-2)]

20 18.18 Reserved for Phase 2 [Note: Phase 2: Special Purpose Districts (Environmental  
21 Park, Airport, Public Use, Institutional, Unclassified Use)]

22 **18.20 Residential Overlay Districts** [Note: Overlay components moved from ACC  
23 18.45, 18.45A, 18.76, and 18.78)]

24 18.22 RO Residential Office and RO-H Residential Office-Hospital District [Note:  
25 Phase 2: becomes Overlay Districts (Health Care, Airport Landing Field, Surface  
26 Mining)]

27 18.24 C-N Neighborhood Shopping District

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<sup>1</sup> Zones translate as follows: RR = RC, RS = RS-1, R-1 = RS-5, R-2 = RS-7, R-3 = RM-10 or RM-16, and R-4 = RM-20..

1    **18.25 Infill Residential Development Standards** [New Section]

2    18.26 C-1 Light Commercial District Landscaping and Screening Standards

3    18.28 C-2 Central Business District

4    18.29 DUC Downtown Urban Center District

5    18.30 C-3 Heavy Commercial District

6    **18.31 Supplementary Regulations for Specific Uses** [Note: Combines ACC 18.48  
7    Supplemental Development Standards and 18.58 Performance Standards, as well as  
8    moving standards from some sections of ACC 18.04 through ACC 18.20]

9    18.32 M-1 Light Industrial District

10   18.33 Environmental Park District

11   18.34 M-2 Heavy Industrial District

12   18.36 BP Business Park District

13   18.38 LF Airport Landing Field District

14   18.40 P-1 Public Use District

15   18.42 UNC Unclassified Use District

16   18.44 I Institutional Use District

17   [Note: propose move to ACC 18.20 Residential Overlay].

18   [Note: propose move to ACC 18.20 Residential Overlay]

19   18.46 Temporary Uses

20   18.48. Supplemental Development Standards [Note: proposal moves to ACC 18.31  
21   Supplementary Regulations for Specific Uses]

22   **18.49 Flexible Development Regulations** [New Section]

23   18.50 Landscaping and Screening

24   **18.51 Density Recognition** [New Section]

25   18.52 Off-Street Parking and Loading

## Auburn Development Code Update Project

- 1 18.54 Nonconforming Structures, Land and Uses
- 2 18.56 Signs
- 3 18.58 [Move section to ACC 18.31]
- 4 18.60 Home Occupations
- 5 18.62 Surface Mining
- 6 18.64 Administrative and Conditional Use Permits
- 7 18.66 Hearing Examiner
- 8 18.68 Amendments
- 9 18.69 Repealed
- 10 18.70 Variances, Special Exceptions, and Administrative Appeals
- 11 18.72 Administration and Enforcement
- 12 18.74 Location of Sexually Oriented Businesses
- 13 18.76 [Move section to ACC 18.20]
- 14 18.78 [Move section to ACC 18.20]

1 [Editor's Note: This is a proposed new chapter that is intended to provide a user-friendly  
2 guide to the zoning code, helping citizens and applicants understand and navigate code  
3 sections.]

## 4 5 **Chapter 18.00** 6 **User Guide**

7 The zoning code provides information on land use regulations, dimensional standards,  
8 and certain other development standards that apply to property within the City (i.e.,  
9 landscaping standards, parking standards, sign standards, etc.). The information in the  
10 zoning code is presented by zone and land use type, so it is important to consult the  
11 City's official zoning map to determine what zone applies to a given property.

12  
13 The zoning code constitutes Title 18 of the Auburn City Code (ACC), and is organized as  
14 a series of chapters. General zoning code provisions are presented in Chapter 18.02. This  
15 section contains the basic rules of interpretation for the zoning code, and includes a  
16 complete list of the City's zones. This section is a resource for users who may be  
17 unfamiliar with zoning codes and are unsure of how a particular regulation applies to  
18 them.

19  
20 Chapter 18.04 provides definitions for terms used throughout this title. Where  
21 appropriate, sketches and other graphic illustrations have been used to help explain terms  
22 and concepts. While every effort has been made to define terms consistent with common  
23 usage, users should consult this section to familiarize themselves and reduce the potential  
24 for misunderstandings. This section also contains explanations and illustrations of  
25 complex concepts that may not be familiar to all users.

26  
27 The sections devoted to particular zones described on the zoning map form the  
28 framework of the Zoning Code. Zone-specific regulations are found in Chapters 18.06  
29 through 18.16. Each of these sections contains the intent statement for the particular  
30 zone, a table of allowed uses, as well as tables for dimensional standards (building height,  
31 setbacks, and lot coverage) and cross-references to other standards such as landscaping  
32 and parking requirements. It is important to note that each section contains only  
33 regulations that apply specifically to that zone, and development standards that apply to  
34 all zones are addressed through cross-references to other chapters of the zoning code.

35  
36 When verifying a property's zoning, it is also important to note any special purpose  
37 districts or overlays that may be marked on the zoning map. Regulations for special  
38 purpose districts, such as institutional or public uses, are found in ACC 18.18.  
39 Regulations for annexation areas are found in ACC 18.20. Overlays, such as those  
40 established for Urban Separator areas, Surface Mining, or Airport Landing Fields, are  
41 contained in Chapter 18.22.

42  
43 Other sections of the Zoning Code (Chapters 18.24 – 18.40) include chapters that relate  
44 to supplementary regulations or specialized topics applied more broadly than at a specific

1 zone level, such as landscaping, parking, signage, and nonconforming uses. While the  
2 relevant portions of these sections will be referenced by the zone-specific chapters, this is  
3 also a good place to look for information on existing or proposed land uses not explicitly  
4 listed elsewhere in the code.  
5  
6 Procedural sections of the code and decision criteria are addressed in Chapters 18.42  
7 through 18.58.

# Chapter

## General Provisions

18.02

Sections:

18.02.010	Short	title.
18.02.020	Authority to adopt code	[Note: New Section]
18.02.030	Purpose.	
18.02.040	Applicability.	
18.02.050	Minimum requirements.	[Note: moved from existing ACC 18.02.030D]
18.02.060	Rules for administrative	interpretations.
18.02.070	Establishment of zones.	[Note: Moved from ACC 18.06.010]
18.02.080	Zoning map.	[Note: Moved from ACC 18.06.020]
18.02.090	Zone boundary interpretations	[Note: Moved from ACC 18.06.030]
18.02.100	Zoning for annexed	land.
18.02.110	Zoning for property influenced by Auburn Municipal Airport.	
18.02.120	Permitted land uses established.	[Note: New Section]

### 18.02.010 Short title.

This title shall be known as “the comprehensive zoning ordinance” of the city which shall constitute Title 18 of the Auburn City Code and shall hereafter be referred to as this title. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

### 18.02.020 Authority to Adopt Code.

The City of Auburn Comprehensive Zoning Ordinance is adopted by City of Auburn ordinance, pursuant to Article XI, Section 11 of the Washington State Constitution, the State Growth Management Act, Title 35A RCW Optional Municipal Code, and Chapter 36.70B RCW.

### 18.02.030 Purpose.

A. The purpose of this title is to implement the city’s comprehensive plan. This title will be used to further the growth and development of the city consistent with the adopted comprehensive plan and its implementing elements. This title will also further the purpose of promoting the health, safety, morals, convenience, comfort, prosperity, and general welfare of the city’s population and to prevent and abate public nuisances.

B. The specific zones and regulations set out in this title are designed to:

1. Provide adequate public facilities and services (including utilities, schools, and parks) in conjunction with development;
2. Provide housing with essential light, air, privacy, and open space;
3. Lessen congestion on streets and facilitate the safe movement of traffic thereon;

4. Stabilize and enhance property values;
5. Facilitate adequate provisions for doing public and private business and thereby safeguard the community's economic structure upon which the prosperity and welfare of all depends; and
6. Through such achievements help ensure the safety and security of home life, foster good citizenship, create and preserve a more healthful, serviceable and attractive municipality and environment in which to live.

C. To most effectively accomplish these purposes, this title divides the city into zones wherein the location, height and use of buildings, the use of land, the size of yards and other open space, and the provision of off-street parking and loading are regulated and restricted in accordance with the comprehensive plan for the city. These zones and regulations are deemed necessary and are made with reasonable consideration, among other things, as to the character of each zone and its particular suitability for specific uses, the need for such uses, the common rights and interests of all within the zone as well as those of the general public, and with the view of conserving and encouraging the most appropriate use of land throughout the city and to prevent and abate public nuisances. (Ord. 5026 § 1, 1997; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987.)

#### **18.02.040 Applicability.**

- A. The provisions of this title shall apply to both public and private use of land within the corporate limits of the city.
- B. Hereafter, no use shall be conducted, and no building, structure and appurtenance shall be erected, relocated, remodeled, reconstructed, altered or enlarged unless in compliance with the provisions of this title, and then only after securing all permits and approvals required hereby. It shall be unlawful to build or use any building or structure or to use premises in the city for any purpose or use other than the uses listed as being permitted in the zone in which such building, land, or premises are located.
- C. Any building, structure or use lawfully existing at the time of passage of this title, although not in compliance therewith, may continue as provided in Chapter 18.34 ACC.

[Editor's Note: Former Section D. of paragraph in existing code (ACC 18.02.030D) moved to new section ACC 18.02.050 and edited].

- D. No division of land shall occur unless in compliance with the provisions of this title, and Title 17, Land Adjustments and Divisions.
- E. This title is not intended to regulate the erection, construction, or reconstruction of public streets, power poles, street lights, utility stations, utility conveyance or storage systems, transmission lines, or other public uses necessary to support the general public welfare,



carried on by the city, or agents of the city working under the appropriate contract or franchise. (Ord. 5026 § 1, 1997; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987.)

### **18.02.050 Minimum Requirements**

[Note: Moved from ACC 18.02.030D]

A. In interpretation and application, the requirements set forth in this title shall be considered the minimum requirements necessary to accomplish the purpose of this title.

B. It is not the intent of this title to interfere with, abrogate or annul any easements, covenants or other agreements between private parties. However, where this title imposes a greater restriction upon the use of land and/or buildings or in general requires higher standards than other ordinances, rules, or private agreements, the provisions of this title shall govern.

### **18.02.060 Rules for administrative interpretations.**

A. The planning director shall be authorized to interpret the meaning of words, phrases and sentences which relate to the determining of uses permitted in the various zones, approval or disapproval of development plans, or other related zoning actions. Any interpretations regarding implementation of this title shall be made in accordance with the intent or purpose statement of the specific regulation and the Comprehensive Plan. Life, safety and public health regulations are assumed to prevail over other regulations.

B. The planning director may authorize uses in a zone other than those which are listed, if the planning director determines the use is consistent with the intent of the zone and is of the same general character of the uses permitted within the zone. Further guidance on administrative interpretations of land uses can be found in Section 18.02.120.C ACC.

C. Administrative interpretations may be appealed to the hearing examiner as prescribed in Chapter 18.70 ACC. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

D. Administrative interpretations made by the planning director shall be documented, made available for public review, and docketed for inclusion to Title 18, when consistent with the title format and level of detail, shall incorporate administrative interpretations upon approval of the legislative authority.

[Editor's Note: Sections 18.02.070 through 18.02.090 relocated with revisions from ACC 18.06.010 through 18.06.030.]

### **18.02.070 Establishment of Zones**

A. The city is divided into the following classes of zones:

1. RC, residential conservancy zone (1 dwelling unit per 4 acres);

2. RS-1, single family residential zone (1 dwelling unit per acre);

- 1           3.    RS-5, single family residential zone (5 dwelling units per acre);
- 2           4.    RS-7, single family residential zone (7 dwelling units per acre);
- 3           5.    RM-10, residential multiple family zone (10 dwelling units per acre);
- 4           6.    RM-16, residential multiple family zone (16 dwelling units per acre);
- 5           7.    RM-20, residential multiple family zone (20 dwelling units per acre);
- 6           8.    RMHC, manufactured/mobile home community zone;
- 7           9.    RO, residential office zone and RO-H, residential office-hospital zone;
- 8           10. C-N, neighborhood shopping zone;
- 9           11. C-1, light commercial zone;
- 10          12. C-2, central business zone;
- 11          13. C-3, heavy commercial zone;
- 12          14. M-1, light industrial zone;
- 13          15. M-2, heavy industrial zone;
- 14          16. BP, business park zone;
- 15          17. LF, airport landing field zone;
- 16          18. P-1, public use zone;
- 17          19. UNC, unclassified use zone;
- 18          20. I, institutional use zone;
- 19          21. EP, environmental park zone;
- 20          22. DUC, downtown urban center zone.
- 21          B.    The zones set out in subsection A of this section are established as the designations,
- 22                locations, and boundaries thereof as set forth and indicated on the zoning map. (Ord.
- 23                6071 § 1, 2007; Ord. 6036 § 1, 2006; Ord. 5354 § 2, 2000; Ord. 4229 § 2, 1987.)
- 24          C.    The intent statement for each zone set forth in this title shall be used to guide the
- 25                application of the zones to all lands in the City of Auburn. The intent statements shall
- 26                guide interpretation and application of land use regulations within the zones, and any
- 27                change to the range of allowed uses within each zone through amendment to this title.
- 28

1    **18.02.080    Zoning map.**

2    A. "Zoning map," as used in this title, is that certain map, three copies of which are on file in the  
3       office of the city clerk, labeled "Comprehensive Zoning Map of the City of Auburn,  
4       Washington," dated June 1, 1987, and adopted by Ordinance No. 4230 and signed by the  
5       Mayor and City Clerk, along with all amendments thereto. Two types of amendments to the  
6       zoning map may occur. The map may be either amended on an areawide basis initiated by the  
7       planning commission, city council, or planning and community development committee of  
8       the city council, or a specific parcel amended by the rezone process as outlined in Chapter  
9       18.68 ACC.

10   B. Current copies of the zoning map are available for examination and/or purchase in the office  
11       of the planning director. The zoning map is adopted and made a part of the comprehensive  
12       zoning ordinance, with the most current amended copy as being the official zoning map.  
13       (Ord. 4229 § 2, 1987.)

14   **18.02.090    Zone boundary interpretation.**

15   Where uncertainty exists as to the boundaries of zones as shown on the official zoning map, the  
16   following rules shall apply:

17   A. Boundaries indicated as approximately following the center lines of streets, highways, or  
18       alleys shall be construed to follow such lines;

19   B. Boundaries indicated as approximately following platted lot lines shall be construed as  
20       following such lot lines;

21   C. Boundaries indicated as approximately following city limits shall be construed as following  
22       city limits;

23   D. Boundaries indicated as following railroad lines shall be construed as to be midway between  
24       the main tracks;

25   E. Boundaries indicated as parallel to or extensions of features indicated in subsections A  
26       through D of this section shall be so construed. Distances not specifically indicated on the  
27       official zoning map shall be determined by the scale of the map;

28   F. Where physical or cultural features existing on the ground are at a variance with those shown  
29       on the official zoning map, or in other circumstances not covered by subsections A through E  
30       of this section, the planning director shall interpret the zone boundaries;

31   G. When the city vacates a street or alley, the adjacent zone shall be extended to the vacated  
32       portion of the right of way. When the entire width of a street or alley is vacated, the zone  
33       along either side shall be extended to the centerline of the vacated street or alley. (Ord. 4229  
34       § 2, 1987.)

1 **18.02.100 Zoning for annexed land.**

2 Prior to any parcel of land being annexed to the city, the property may be zoned consistent with  
3 the rezone requirements of this title, and the comprehensive plan may be amended if necessary.

4 Application for the rezone and any necessary comprehensive plan amendment may be done  
5 simultaneously with the request for annexation.

6 For property that is not assigned a zone classification by the city of Auburn at annexation, the  
7 property shall assume the UNC - Unclassified Use designation upon annexation. In such cases,  
8 the planning director shall initiate an application to rezone the subject property from the UNC -  
9 Unclassified Use designation to a zone compatible with the comprehensive plan within six  
10 months of the date of annexation. (Ord. 5354 § 2, 2000; Ord. 5026 § 1, 1997; Ord. 4229 § 2,  
11 1987.)

12 **18.02.110 Zoning for property influenced by Auburn Municipal**  
13 **Airport.**

14 Refer to Chapter 18.38 ACC to determine if property will be required to comply with additional  
15 regulations that are associated with the Auburn Municipal Airport. (Ord. 5026 § 1, 1997.)

16 **18.02.120 Permitted Land Uses Established.**  
17

18 A. Categories of uses established.  
19 Chapters 18.06 through 18.44 ACC establish permitted, conditional, and prohibited uses, by  
20 zone, for all properties within the Auburn city limits. All principal uses in a given zone are  
21 one of three types:

- 22 1. Permitted Use: (see ACC 18.04.691);  
23 2. Conditional Use: (see ACC 18.04.260);  
24 3. Prohibited Use: (see ACC 18.04.751);

25 Uses which are incidental and customary to a principal use may be considered an accessory  
26 use as defined in ACC 18.04.020.

27 Uses not specifically identified as principal uses, or determined to be an accessory use shall  
28 be classified utilizing the procedures outlined in ACC 18.02.120C.6.

29 B. Zoning Use Tables Established for Residential Zones.  
30 The zone use tables in Subsection .020 of Chapters 18.06 and 18.08 ACC establish whether a  
31 specific use is permitted in a zone and whether the use is allowed as “permitted”,  
32 “conditional,” or “prohibited” use. The zone is located on the horizontal row and the specific  
33 use is located on the vertical column of these tables.  
34

C. Interpretation of Zone Use Tables.

1. Legend: The following letters have the following meanings when they appear in the box at the intersection of the column and the row on the zone use tables:

Symbol	Description
P	Permitted Use
C	Conditional Use
X	Prohibited Use

2. Other Requirements Applicable: The above uses are subject to the other application requirements, citywide property development standards, and applicable overlay district regulations specified in the zoning code, the project review procedures specified in Title 14, the building and construction standards of Title 15, the environmental review procedures and regulations specified in Title 16, and the regulations for the division of land in Title 17.
3. Additional Use-Related Conditions: If a number also appears at the intersection of the column and the row, the use is also subject to the additional requirements as listed in the corresponding endnote immediately following the use table in Subsection C of the specified code chapter. All applicable requirements shall govern a use whether specifically identified in the zone chapter or not.
4. Accessory use interpretation. The planning director may determine if a use that is not specifically described as accessory, is permitted as an accessory to a principal use in a zone. Upon inquiry by an applicant, an administrative interpretation shall be made by the planning director to determine if a proposed use is allowed as an accessory use within the zone utilizing the purpose and intent of the zone, comprehensive plan policy guidance, and the definition of accessory use contained in ACC Chapter 18.04.
5. Prohibited Uses: If an "X" appears in the box at the intersection of the column and the row, the use is prohibited in that zone. Similarly, if a use is listed in one zone use table but not another zone use table, it shall be considered prohibited in the zone use table in which it is not listed. For example a use listed in the Industrial zone use table of ACC 18.16, but is not listed in the Residential zone use table of ACC 18.06 shall be considered prohibited in the residential zones listed in ACC 18.06, even though the land use does not appear with an "X" in the use table.
6. Unclassified Uses: Upon inquiry by an applicant, an administrative interpretation shall be made by the planning director to determine if a proposed use not specifically listed in any zone use table is allowed within a specific zone utilizing the criteria in Subsection C.6 of this section. Should an interpretation be made that a proposed, unlisted use not be

1 allowed in a specific zone, the planning director shall indicate which zones, if any, do  
2 permit the use.

3 a. Criteria for Unclassified Uses: In order to make a determination that an unclassified  
4 use is permitted, conditionally permitted, or accessory, the planning director must  
5 find that the use is:

6 i. In keeping with the intent of the zone, and consistent with Auburn  
7 Comprehensive Plan policies; and

8 ii. Similar in nature to, and no more intense than, specifically listed permitted,  
9 conditional or accessory uses; and

10 iii. Consistent with subsection C.4 of this section, if determined to be permissible as  
11 an accessory use.

12

# 1    **Chapter 18.04    Definitions**

2    Sections:

3    18.04.010    General definitions.

4    18.04.018    Accessory dwelling unit.

5    18.04.020    Accessory use.

6    18.04.021    Accessory use, agricultural.

7    18.04.022    Accessory use, manufactured home community.

8    18.04.023    Accessory use, residential.

9    18.04.024    Repealed.

10    18.04.027    Repealed.

11    18.04.030    Repealed.

12    18.04.032    Repealed.

13    18.04.040    Airport, heliport or aircraft landing field.

14    18.04.050    Airport elevation.

15    18.04.060    Airport hazard.

16    18.04.070    Airport landing area.

17    18.04.080    Airport reference point.

18    18.04.090    Alley.

19    18.04.100    Amusement device, mechanical.

20    18.04.101    Animal, domestic.

21    18.04.102    Animal husbandry.

22    18.04.110    Apartment.

23    18.04.120    Arcade.

24    18.04.125    Assisted living facility.

25    18.04.130    Automobile repair.

26    18.04.140    Automobile service station.

- 1 18.04.150 Automobile wrecking.
- 2 18.04.160 Automobile wrecking yard.
- 3 18.04.170 Automobile, trailer, equipment sales area.
- 4 18.04.180 Boardinghouse.
- 5 18.04.185 Brew pub.
- 6 18.04.190 Building.
- 7 18.04.200 Building height.
- 8 18.04.210 Building, main.
- 9 18.04.220 Building official.
- 10 18.04.230 Building site.
- 11 18.04.235 Built green.
- 12 18.04.240 Commercial use.
- 13 18.04.245 Commercial vehicle.
- 14 18.04.250 Comprehensive plan.
- 15 18.04.260 Conditional use.
- 16 18.04.270 Conforming use.
- 17 18.04.280 Contract rezone.
- 18 18.04.285 Dangerous waste.
- 19 18.04.290 Daycare center, nursery school, preschool.
- 20 18.04.295 Designated facility zone.
- 21 18.04.300 Density.
- 22 18.04.301 Density, base
- 23 18.04.302 Density, bonus
- 24 18.04.303 Density, minimum
- 25 18.04.310 Development standards.
- 26 18.04.320 Reserved.
- 27 18.04.330 Dwelling.



- 1 18.04.340 Dwellings, types of.
- 2 18.04.350 Dwelling unit.
- 3 18.04.351 Employee quarters.
- 4 18.04.355 Extremely hazardous waste.
- 5 18.04.360 Family.
- 6 18.04.370 Fence.
- 7 18.04.380 Floor area.
- 8 18.04.390 Foster care home.
- 9 18.04.400 Garage or carport, residential.
- 10 18.04.410 Garage, commercial.
- 11 18.04.411 Golf course.
- 12 18.04.412 Governmental facility.
- 13 18.04.420 Grade.
- 14 18.04.425 Green building practices.
- 15 18.04.430 Gross floor area.
- 16 18.04.440 Group residence facility.
- 17 18.04.450 Guest cottage.
- 18 18.04.452 Hazardous material.
- 19 18.04.453 Hazardous substance.
- 20 18.04.454 Hazardous substance processing or handling.
- 21 18.04.455 Hazardous waste.
- 22 18.04.456 Hazardous waste storage.
- 23 18.04.457 Hazardous waste treatment.
- 24 18.04.458 Hazardous waste treatment and storage facility, off-site.
- 25 18.04.459 Hazardous waste treatment and storage facility, on-site.
- 26 18.04.460 Home occupation.
- 27 18.04.465 Homeless encampment.

- 1 18.04.466 Horse riding, commercial
- 2 18.04.470 Hospital.
- 3 18.04.480 Hospital or clinic, small animal.
- 4 18.04.485 Host agency.
- 5 18.04.490 Hotel.
- 6 18.04.495 Household pet.
- 7 18.04.500 Junkyard.
- 8 18.04.510 Kennel.
- 9 18.04.515 Kitchen.
- 10 18.04.520 Landscaping.
- 11 18.04.522 Lea Hill area.
- 12 18.04.525 Leadership in energy and environmental design (LEED).
- 13 18.04.530 Lot.
- 14 18.04.540 Lot area.
- 15 18.04.550 Lot coverage.
- 16 18.04.560 Lot dimensions.
- 17 18.04.570 Lot lines.
- 18 18.04.580 Lot of record.
- 19 18.04.590 Lot types.
- 20 18.04.595 Low impact development.
- 21 18.04.600 Manufactured home.
- 22 18.04.610 Manufactured home park.
- 23 18.04.620 Medical-dental clinic.
- 24 18.04.630 Mobile home.
- 25 18.04.640 Motel.
- 26 18.04.542 Municipal park.
- 27 18.04.643 Museum.

- 1 18.04.644 Neighborhood recreation building.
- 2 18.04.650 Nonconforming use.
- 3 18.04.660 Nursing home.
- 4 18.04.670 Occupancy.
- 5 18.04.672 Outdoor sales.
- 6 18.04.676 Outdoor storage.
- 7 18.04.678 Repealed.
- 8 18.04.680 Parking area.
- 9 18.04.690 Parking space or stall.
- 10 18.04.691 Permitted use.
- 11 18.04.700 Person.
- 12 18.04.710 Personal service shop.
- 13 18.04.730 Planning commission.
- 14 18.04.740 Planning director.
- 15 18.04.744 Prerelease facility.
- 16 18.04.750 Professional offices.
- 17 18.04.751 Prohibited use.
- 18 18.04.760 Public use.
- 19 18.04.770 Quasi-public use.
- 20 18.04.780 Recreational vehicle, camping trailer, travel trailer, motor home and truck camper.
- 21 18.04.790 Recreational vehicle park.
- 22 18.04.792 Religious institution.
- 23 18.04.794 Renting of rooms.
- 24 18.04.800 Residence.
- 25 18.04.805 Restaurant, full-service.
- 26 18.04.808 Secure community transition facility.
- 27 18.04.809 Setback

- 1 18.04.810 Shopping center.
- 2 18.04.820 Sign.
- 3 18.04.821 Social and service organization
- 4 18.04.825 Solid waste.
- 5 18.04.826 Solid waste processing facility.
- 6 18.04.828 Sponsoring agency.
- 7 18.04.830 Repealed.
- 8 18.04.840 Repealed.
- 9 18.04.850 Spot zoning.
- 10 18.04.860 Story.
- 11 18.04.870 Street, private.
- 12 18.04.880 Street, public.
- 13 18.04.890 Structure.
- 14 18.04.891 Supportive housing.
- 15 18.04.892 Sustainable design.
- 16 18.04.895 Tavern.
- 17 18.04.896 Unclassified use
- 18 18.04.900 Use.
- 19 18.04.901 Utility substation.
- 20 18.04.910 Variance.
- 21 18.04.912 Wireless communications.
- 22 18.04.914 Work release facility.
- 23 18.04.920 Yard.
- 24 18.04.930 Yard, front.
- 25 18.04.940 Yard, rear.
- 26 18.04.950 Yard, side.
- 27 18.04.960 Zone.

1 **18.04.010 General definitions.**

2 Except where specifically defined in this chapter, all words used in this title shall carry their  
3 customary meanings. Words used in the present tense include the future, and the plural includes  
4 the singular the word “he” or “his” shall also refer to “she” or “her,” the word “shall” is always  
5 mandatory, the word “may” denotes a use of discretion in making a decision, the words “used” or  
6 “occupied” shall be considered as though followed by the words “or intended, arranged or  
7 designed to be used or occupied.” (Ord. 4229 § 2, 1987.)

8 **18.04.018 Accessory dwelling unit.**

9 An “accessory dwelling unit” is a self-contained residential unit that is accessory to a single-  
10 family home. An accessory dwelling unit cannot be a separate freestanding structure but must be  
11 part of the single-family home or an accessory structure otherwise allowed by the applicable  
12 zone. An accessory dwelling unit has its own bathroom, kitchen facilities, living and sleeping  
13 areas, though it can share other features with the single-family home including the yard, parking,  
14 storage or laundry facilities. (Ord. 5399 § 1, 2000.)

15 [Note: Per staff comment, investigate whether to broaden definition of accessory dwelling unit to  
16 include freestanding structure. Options include deletion of shaded section of definition and/or  
17 retain as supplemental development standard.]

18 **18.04.020 Accessory use.**

19 “Accessory use” means a use, a building or structure, part of a building or other structure, which  
20 is subordinate to and the use of which is incidental to that of the main building, structure or use  
21 on the same lot, including a residential garage. If an accessory building is attached to the main  
22 building by a common wall or roof, such accessory building shall be considered a part of the main  
23 building. Parking areas will not be considered an accessory use under this definition. (Ord. 4229 §  
24 2, 1987.) See related definitions for Accessory use, agricultural, and Accessory use, residential.

25 **18.04.021 Accessory use, agricultural.**

26 “Accessory agricultural use” includes the raising of crops for the purpose of consuming and/or  
27 selling the produce resulting from agricultural production. Agricultural uses include but are not  
28 limited to agricultural crops and open field growing; crop storage using structures such as barns,  
29 silos, and similar structure; and roadside stands for the sale of agricultural products raised on the  
30 premises. Agricultural use does not include animal husbandry.

31 **18.04.022 Accessory use, manufactured home community.**

32 “Accessory use, manufactured home community” is a subordinate use which supports the  
33 principal manufactured home community use without displacing it. Manufactured home  
34 community accessory uses include but are not limited to recreation facilities, clubhouse, park  
35 office, and utility rooms to serve the residents of the park only.

1     **18.04.023 Accessory use, residential.**

2     A subordinate use which supports the principal residential use without displacing it. The  
3     accessory residential use is typically located on the same lot occupied by the principal residential  
4     use. Residential accessory uses include residential garage, guest cottage, recreation room, tool  
5     shed, swimming pool, noncommercial greenhouse, private stable, barn, pen, coop, or similar  
6     structure.

7     **18.04.024 Adult entertainment establishment.**

8     Repealed by Ord. 5835. (Ord. 4885 § 2, 1996; Ord. 4469 § 1, 1990.)

9     **18.04.027 Adult entertainment.**

10    Repealed by Ord. 5835. (Ord. 4885 § 1, 1996.)

11    **18.04.030 Adult family home.**

12    "Adult family home" means a residential home in which a person or persons provide personal  
13    care, special care, room, and board to more than one but not more than six adults who are not  
14    related by blood or marriage to the person or persons providing the services

15    **18.04.032 Adult uses.**

16    Repealed by Ord. 5835. (Ord. 4885 § 3, 1996; Ord. 4469 § 1, 1990.)

17    **18.04.040 Airport, heliport or aircraft landing field.**

18    "Airport," "heliport," or "aircraft landing field" means any runway, landing area or other facility  
19    whether publicly or privately owned or operated, and which is designed, used or intended to be  
20    used either by public carriers or by private aircraft for landing and taking off of aircraft, including  
21    ultralights as defined by ACC 8.36.010. This definition includes all necessary taxiways, aircraft  
22    storage and tie-down areas, hangars and other necessary buildings and open spaces. This  
23    definition does not include manufacturing, servicing or testing facilities located in the vicinity of  
24    any landing area associated with the manufacturing or testing of commercial or military aircraft  
25    or activities associated therewith. (Ord. 4229 § 2, 1987.)

26    **18.04.050 Airport elevation.**

27    "Airport elevation" means the established elevation of the highest point on the usable landing  
28    area. (Ord. 4229 § 2, 1987.)

29    **18.04.060 Airport hazard.**

30    "Airport hazard" means any structure, tree or use of land which obstructs the airspace required  
31    for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the airport. (Ord.  
32    4229 § 2, 1987.)

1 **18.04.070 Airport landing area.**

2 “Airport landing area” means the area of the airport used for the landing, taking off or taxiing of  
3 aircraft. (Ord. 4229 § 2, 1987.)

4 **18.04.080 Airport reference point.**

5 “Airport reference point” means the point established as the approximate geographic center of the  
6 airport landing area and so designated. (Ord. 4229 § 2, 1987.)

7 **18.04.090 Alley.**

8 “Alley” means a public right-of-way which affords a secondary public means of vehicular access  
9 to abutting property and which is not intended for general traffic circulation. (Ord. 4229 § 2,  
10 1987.)

11 [Note: City comment: should alleys be public, private? Possible policy discussion.]

12 **18.04.100 Amusement device, mechanical.**

13 “Mechanical amusement device” means any machine which, upon the insertion of a coin, slug,  
14 token, plate or disk, may be operated by the public generally for use as a game, entertainment or  
15 amusement, whether or not registering a score. It includes such devices as marble machines,  
16 pinball machines, skill ball, mechanical grab machines, video games and all games, operations or  
17 transactions similar thereto under whatever name they may be indicated to specify. “Mechanical  
18 amusement device” does not include pool tables. (Ord. 4229 § 2, 1987.)

19 **18.04.101 Animal, domestic.**

20 Animals that have been bred to be tame, are dependent on human intervention for food and  
21 shelter, and are kept continually at the premises of the owner. For purposes of regulating  
22 domestic animals for land use, they are subdivided into large, medium, and small domestic  
23 animals. Large domestic animals shall include horse, cow, donkey, or other domestic animal of  
24 similar size. Medium animals shall include sheep, goat, swine, or other domestic animals of  
25 similar size. Small domestic animals shall include poultry, rabbits, or other domestic animals of  
26 similar size.

27 **18.04.102 Animal husbandry.**

28 The raising of domestic animals other than household pets, including pasturing and grazing of  
29 such domestic animals.

30 **18.04.110 Apartment.**

31 “Apartment” means a rental dwelling unit in a multifamily building with at least three other  
32 dwelling units. (Ord. 4229 § 2, 1987.)

1     **18.04.120 Arcade.**

2     “Arcade” includes any place of business having in excess of four mechanical amusement devices  
3     as defined in ACC 18.04.100. (Ord. 4229 § 2, 1987.)

4     **18.04.125 Assisted living facility.**

5     “Assisted living facility” means a combination of housing, supportive services, personalized  
6     assistance, and health care designed to respond to the individual needs of those who need help  
7     with activities of daily living. An establishment with a central or private kitchen, dining,  
8     recreational, and other facilities, with separate bedrooms or living quarters, where the emphasis of  
9     the facility remains residential. (Ord. 6140 § 1, 2007.)

10    **18.04.130 Automobile repair.**

11    “Automobile repair” includes fixing, incidental body or fender work, painting, and upholstering,  
12    engine tune-up, adjusting lights, brakes, supplying and installing replacement parts to passenger  
13    vehicles and trucks. (Ord. 4229 § 2, 1987.)

14    **18.04.140 Automobile service station.**

15    “Automobile service station” means a place of business where the primary business is the fueling  
16    of vehicles. Automobile service stations have pumps and/or storage tanks from which liquid fuel  
17    and/or lubricants are dispensed. Sales and installation of auto accessories, washing, polishing,  
18    inspections and cleaning, but not steam cleaning, may be carried on incidental to the sale of such  
19    fuel and lubricants. Retail sales of food and grocery related items may also be considered an  
20    incidental use. (Ord. 4229 § 2, 1987.)

21    **18.04.150 Automobile wrecking.**

22    “Automobile wrecking” means the dismantling or disassembling of used motor vehicles or  
23    trailers, the storage, sale or dumping of dismantled, obsolete, or wrecked vehicles or their parts,  
24    and the towing of such vehicles or parts in connection with such activity. (Ord. 4229 § 2, 1987.)

25    **18.04.160 Automobile wrecking yard.**

26    “Automobile wrecking yard” means any premises devoted to automobile wrecking. (Ord. 4229 §  
27    2, 1987.)

28    **18.04.170 Automobile, trailer, equipment sales area.**

29    “Automobile, trailer and equipment sales area” means an open area, other than a street or alley,  
30    used for the display, sale or rental of new or used automobiles, trucks, trailers or other equipment.  
31    (Ord. 4229 § 2, 1987.)

32    **18.04.180 Boardinghouse.**

33    “Boardinghouse” means any dwelling in which more than three persons, either individually or as  
34    families, are housed or lodged for hire with or without meals. A roominghouse or a furnished-  
35    room house is a boardinghouse. (Ord. 4229 § 2, 1987.)



1 **18.04.185 Brew pub.**

2 “Brew pub,” also known as a “microbrewery,” means an eating and drinking establishment which  
3 includes the brewing of beer, ale or malt beverage as an accessory use to a full-service restaurant.  
4 The amount of beverage produced on the premises cannot be less than 240 barrels or exceed  
5 2,400 barrels in any calendar year. No more than 30 percent of the product brewed may be sold  
6 off-premises in either bottles or kegs. A loading and unloading area must then be provided for. A  
7 full-service restaurant as defined by ACC 18.04.805 must occupy at least 51 percent of the gross  
8 floor area of the brew pub and restaurant, combined. Any brew pub that does not meet the  
9 requirements of this definition will be considered a tavern as defined by ACC 18.04.895. (Ord.  
10 5382 § 1, 2000.)

11 **18.04.190 Building.**

12 “Building” means any structure having a roof supported by columns or walls used or intended to  
13 be used for the shelter or enclosure of persons, animals or property of any kind. (Ord. 4229 § 2,  
14 1987.)

15 **18.04.200 Building height.** [Editor’s Note: Add illustration]

16 “Height of building” means the vertical distance measured from the finished grade to the highest  
17 point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between  
18 eaves and ridge for gable, hip and gambrel roofs. If a structure has none of the above features  
19 then the height shall be measured from the finished grade to the highest portion of the structure.  
20 (Ord. 4229 § 2, 1987.)

21 **18.04.210 Building, main.**

22 “Main building” means the principal building or buildings on a lot or building site designed or  
23 used to accommodate the primary use to which the premises are devoted. (Ord. 4229 § 2, 1987.)

24 [Note: The Planning Director should be charged with the enforcement of this title.]

25 **18.04.230 Building site.**

26 “Building site” means a parcel of land assigned to a use, to a main building, or to a main building  
27 and its accessory buildings, together with all yards and open spaces required by this title. (Ord.  
28 4229 § 2, 1987.)

29 **18.04.235 Built green.**

30 “Built green” means an environmental building program locally administered by the Master  
31 Builders Association of King and Snohomish Counties which provides rating systems which  
32 quantify environmentally friendly building practices for remodeling and new residential  
33 construction. The construction must qualify for a minimum number of points in order to be  
34 certified as “built green.” Each building receives a one to five star rating based on the builder’s  
35 ability to meet the sustainable design standards. (Ord. 6036 § 5, 2006.)

1 **18.04.240 Commercial use.**

2 “Commercial use” shall mean any activity or use of land which involves the buying, selling,  
3 processing or improving of things not produced on the land and having financial gain as the  
4 primary aim of the activity or use; whether or not such activity or use be for hire or on account of  
5 the buyer, seller, processor, or improver. (Ord. 4229 § 2, 1987.)

6 **18.04.245 Commercial vehicle.**

7 For the purposes hereof, “commercial vehicle” means semi-truck tractors and/or semi-trailers  
8 (over 26,001 pounds gross vehicle weight rating) used in any commercial enterprise. (Ord. 6019  
9 § 1, 2006.)

10 **18.04.250 Comprehensive plan.**

11 “Comprehensive plan” means the comprehensive plan for the Auburn planning area, as now  
12 constituted, or hereafter amended, or its successor. (Ord. 4229 § 2, 1987.)

13 **18.04.260 Conditional use.**

14 “Conditional use” means a use permitted in a zone only after review and approval by the hearing  
15 examiner. Conditional uses are such that they may be compatible only on certain conditions in  
16 specific locations in a zone, or if the site is regulated in a certain manner in order to achieve the  
17 purposes of this title. (Ord. 6185 § 1, 2008; Ord. 4229 § 2, 1987.)

18 **18.04.270 Conforming use.**

19 “Conforming use” means an activity the nature and type of which is permitted in the zone in  
20 which the property on which it is established is located. (Ord. 4229 § 2, 1987.)

21 **18.04.280 Contract rezone.**

22 “Contract rezone” means an agreement between the city and a property owner which implements  
23 a rezone by outlining conditions and other obligations. A contract rezone must demonstrate a  
24 general public benefit, must run with the land and be binding upon the owner and his heirs,  
25 assigns and successors. A contract rezone cannot be inconsistent with the comprehensive plan.  
26 (Ord. 4229 § 2, 1987.)

27 **18.04.282 Cottage housing**  
28 **recommendation]**

[Editor’s Note: Add definition based on staff

29 **18.04.285 Dangerous waste.**

30 “Dangerous waste” means those solid wastes designated in WAC 173-303-070 through 173-303-  
31 103 as dangerous waste. (Ord. 4294 § 2, 1988.)

32 **18.04.290 Daycare center, nursery school, preschool.**

33 “Daycare center,” “nursery school,” “preschool” means any type of group daycare programs, for  
34 children or adults, including nursery schools for children under minimum age for education in

public schools, parent cooperative nursery schools, playgroups for preschool children, covering afterschool care for school children, and programs which provide organized learning and education experiences, provided such establishments are licensed by the state and conducted in accordance with state requirements. For the purpose of this title the following shall also apply to daycare center, nursery schools or preschools:

A. "Babysitting care" means a dwelling which provides occasional custodial care to children, for periods of less than 24 hours, who do not reside within the residence of the person providing the care. Babysitting care is not necessarily provided in exchange for compensation.

B. "Home based daycare" means a licensed daycare that regularly provides daycare for not more than 12 children or adults in the provider's home in the family living quarters, for periods of less than 24 hours.

C. "Mini daycare center" means a place, other than the home of the provider, which provides regular custodial care for one to 12 children, for periods of less than 24 hours.

D. "Daycare center" means a place, other than the home of the provider, which provides regular custodial care for 12 or more children, for periods of less than 24 hours.

E. "Preschool/nursery school" means a place, other than the home of the provider, which provides regular custodial care and/or organized learning and educational experiences for children. (Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

#### **18.04.295 Designated facility zone.**

"Designated facility zone" means a zone in which hazardous waste treatment and storage facilities are allowed uses, subject to the state siting criteria designated in Chapter 70.105 RCW. (Ord. 4294 § 2, 1988.)

#### **18.04.300 Density.**

"Density" is a measure of population, housing units, or building area related to land area, and expressed as a ratio, i.e., one dwelling unit per acre. See ACC 18.51.020 for features that are deducted from site area in the City of Auburn's calculation of density.

#### **18.04.301 Density, base**

"Base density" refers to the greatest number of persons or housing units allowed without application of bonus density provisions of ACC 18.25, ACC 18.49, or ACC 18.51 per land area in a specific zoning district, expressed as a ratio. For example, in a zoning district with a maximum density of 4 units per acre, the maximum number of housing units allowed on a 0.25-acre lot is one unit.

[Note: change name of "maximum density" to base density per staff comment. Discuss.]

### **18.04.302 Density bonus**

[Note: add definition of bonus density per revisions made to ACC 18.51.]

### **18.04.302 Density, minimum**

“Minimum density” refers to the least number of persons or housing units allowed per land area in a specific zoning district, expressed as a ratio. For example, in a zoning district with a minimum density of 8 units per acre, development of a 0.25-acre lot would require a minimum of two units.

[Note: review/revise minimum density definition, as appropriate to revisions noted above. Discuss.]

### **18.04.310 Development standards.**

“Development standards” means regulations pertaining to setbacks, landscaping, height, site coverage, signs, building layout, site design and related features of land use. (Ord. 4229 § 2, 1987.)

### **18.04.320 Reserved.**

### **18.04.330 Dwelling.**

“Dwelling” means a building designed exclusively for residential purposes for occupancy by a person or family with one or more rooms for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, including single-family, two-family and multiple-family dwellings, but not including hotels or motel units without kitchens. (Ord. 4229 § 2, 1987.)

### **18.04.340 Dwellings, types of.**

“Types of dwellings” means:

A. Dwelling, Single-Family. “Single-family dwelling” means a detached building designed exclusively for occupancy by one family and containing one dwelling unit that is permanently attached to the ground. A manufactured home may be considered a single-family dwelling if sited per ACC 18.31.050.

B. Dwelling, Two-Family (Duplex). “Two-family dwelling” or “duplex” means a building designed exclusively for occupancy by two families living independently of each other, and containing two dwelling units.

C. Dwelling, Multiple-Family. “Multiple-family dwelling” means a building designed for occupancy by three or more families living independently of each other, and containing three or more dwelling units.

D. Dwelling, Townhouse. “Townhouse dwelling” means a building designed exclusively for occupancy by one family, occupying space from the ground to the roof and not lying

1 vertically under or over adjacent units, and attached to one or more other dwelling units by  
2 common walls. (Ord. 6162 § 1, 2008; Ord. 4229 § 2, 1987.)

3 E. Dwelling Cottage – A detached single-family dwelling located in a complex of [redacted] or  
4 cottage housing on a commonly owned parcel with common open space.

5 [Note: May not need “Dwelling Cottage” definition because of proposed “Cottage Housing”  
6 definition noted above.]

#### 7 **18.04.350 Dwelling unit.**

8 “Dwelling unit” means one or more rooms designed for or occupied by one family for living or  
9 sleeping purposes and containing kitchen facilities for use solely by one family. All rooms  
10 comprising a dwelling unit shall have access through an interior door to other parts of the  
11 dwelling unit. An efficiency apartment constitutes a dwelling unit within the meaning of this title.  
12 (Ord. 4229 § 2, 1987.)

#### 13 **18.04.351 Employee quarters.**

14 “Employee quarters” consist of one or more residential dwelling units used for the purpose of on-  
15 site employee housing. This use is not considered a residential accessory use.

#### 16 **18.04.355 Extremely hazardous waste.**

17 “Extremely hazardous waste” means those solid wastes designated in WAC 173-303-070 through  
18 173-303-103 as extremely hazardous waste. (Ord. 4294 § 2, 1988.)

#### 19 **18.04.360 Family.**

20 “Family” means a person living alone, two or more persons related by blood or marriage, or a  
21 group of eight or fewer residents, who are not related by blood or marriage, customarily living  
22 together as a single housekeeping unit and using common cooking facilities, as distinguished  
23 from a group occupying a hotel, club, boardinghouse or lodginghouse. For purposes of this  
24 definition, minors living with parent shall not be counted as part of the maximum number of  
25 residents. (Ord. 4229 § 2, 1987.)

#### 26 **18.04.365 Family Wage**

27 [Editor’s Note: add definition based on staff recommendation and include how family  
28 wage is determined and discussion of higher wage (ACC 18.49?)]

#### 29 **18.04.370 Fence.**

30 “Fence” means a masonry wall or a barrier composed of posts connected by boards, rails, panels,  
31 or wire for the purpose of enclosing space or separating parcels of land. The term “fence” does  
32 not include retaining walls. (Ord. 4229 § 2, 1987.)

1 **18.04.372 Fence, screened.**

2 “Screened fence” means a fence providing a high degree of visual buffering between two areas  
3 that meets the requirements of ACC 18.31.020C1.

4 **18.04.374 Fence, 100 percent sight-obscuring.**

5 “100 percent sight-obscuring fence” means a fence that completely obstructs view between two  
6 areas and/or completely obstructs view between two adjoining uses, and meets the requirements  
7 of ACC 18.31.020C.2.

8 **18.04.380 Floor area.**

9 “Floor area” means a total floor area within the walls of all buildings on a lot or building site,  
10 except for the spaces therein devoted to vents, shafts and light courts and except for the area  
11 devoted exclusively to loading and unloading facilities and to parking of motor vehicles. (Ord.  
12 4229 § 2, 1987.)

13 **18.04.390 Foster care home.**

14 “Foster care home” means a home which provides regular care for up to four developmentally  
15 disabled adults, or up to four adults who are recipients of state or federal financial assistance  
16 services, or up to four foster children under the age of 18, or up to three expectant mothers in a  
17 residential structure of the person or persons under whose direct care and supervision the people  
18 are placed. (Ord. 4229 § 2, 1987.)

19 **18.04.400 Garage or carport, residential.**

20 “Residential garage or carport” means a building or a portion of a building principally used for  
21 vehicular equipment such as automobiles, boats, etc., in which only motor vehicles used by the  
22 tenants of the building or buildings on the premises are stored or kept. (Ord. 4304 § 1(1), 1988;  
23 Ord. 4229 § 2, 1987.)

24 **18.04.410 Garage, commercial.**

25 “Commercial garage” means any garage not a residential garage, and which is used for storage,  
26 repair, rental, servicing or supplying of gasoline or oil to motor vehicles. (Ord. 4229 § 2, 1987.)

27 **18.04.411 Golf course.**

28 See ACC 18.04.746 Private country club and golf courses.

29 **18.04.412 Governmental facilities**

30 Facilities of any unit of city, county, state, federal, or special district government. Types of  
31 facilities include community centers, vehicle and drivers licensing offices, public works  
32 maintenance and operations facilities, courts of law, school support facilities, and other types of  
33 city, county, state, school district, special district, or federal facilities. This definition excludes  
34 jails, municipal parks, transit facilities, sewage treatment plants, schools, municipally owned  
35 airports, libraries, wells, pump stations, and lift stations.

1 **18.04.420 Grade.**

2 “Grade” means the average of the finished ground level at the center of all exterior walls of a  
3 building. In case walls are within five feet of a public sidewalk, alley or other public way, the  
4 grade shall be the elevation of the sidewalk, alley or public way. (Ord. 4229 § 2, 1987.)

5 **18.04.425 Green building practices.**

6 “Green building practices” (as defined by the U.S. Green Building Council, LEED Program)  
7 means practices that conserve resources, use recycled content materials, maximize energy  
8 efficiency, and otherwise consider environmental, economic, and social benefits in the design and  
9 construction of a building project. (Ord. 6036 § 6, 2006.)

10 **18.04.430 Gross floor area.**

11 “Gross floor area” includes all floor area within the exterior walls of the building including area  
12 in halls, storage, and partitions, but excluding furnace and similar utility space used solely to  
13 maintain the building for occupancy. (Ord. 4229 § 2, 1987.)

14 **18.04.440 Group residence facility.**

15 “Group residence facility” means a facility licensed by the state and operated with full-time  
16 supervision for housing resident persons who, by reasons of their mental or physical disability,  
17 addiction to drugs or alcohol, or family and social adjustment problems, require a transitional  
18 nonmedical treatment program for rehabilitation and social readjustment. For the purposes of this  
19 title, a nonmedical treatment program consists of counseling, vocational guidance, training, group  
20 therapy and other similar rehabilitative services but does not include drug and/or alcohol  
21 detoxification. Monitoring the taking of prescription medication shall be permitted. The use of  
22 medication by any resident shall be incidental to that person’s residence in the facility and shall  
23 not be a criterion for residence in the facility. This definition does not include residential  
24 dwellings which meet all other requirements of this title, that provide programs related to this  
25 definition or which provide services of a nursing home as defined by ACC 18.04.660. (Ord. 4590  
26 § 2 (Exh. A), 1992; Ord. 4304 § 1(2), 1988; Ord. 4229 § 2, 1987.)

27 **18.04.450 Guest cottage.**

28 “Guest cottage” means an accessory, detached building with bathroom, living and sleeping areas  
29 without any kitchen facilities designed for and used to house transient visitors or nonpaying  
30 guests of the occupants of the main dwelling. (Ord. 4229 § 2, 1987.)

31 **18.04.452 Hazardous material.**

32 “Hazardous material” means a substance or materials in a quantity or form that may pose an  
33 unreasonable risk to health, safety or property when stored, transported or used in commerce. For  
34 specific definitions of hazardous materials see Code of Federal Regulations, Title 49, as  
35 amended; the Uniform Fire Code, as amended; and the Auburn Fire Department General  
36 Hazardous Materials Guidelines, as amended. (Ord. 4294 § 2, 1988; Ord. 4229 § 2, 1987.)

1 **18.04.453 Hazardous substance.**

2 “Hazardous substance” means any liquid, solid, gas or sludge, including any material, substance,  
3 product, commodity or waste, regardless of quantity that exhibits any of the characteristics or  
4 criteria of hazardous waste as defined by Chapter 713-303 WAC. (Ord. 4294 § 2, 1988.)

5 **18.04.454 Hazardous substance processing or handling.**

6 “Hazardous waste processing or handling” means the use, storage, manufacture, production or  
7 other land use activity involving hazardous substances. Hazardous substances processing and  
8 handling activities do not include individually packaged household consumer products or  
9 quantities of hazardous substances of less than five gallons in volume per container. (Ord. 4294 §  
10 2, 1988.)

11 **18.04.455 Hazardous waste.**

12 “Hazardous waste” means and includes all dangerous (see ACC 18.04.285) and extremely  
13 hazardous waste (see ACC 18.04.355). (Ord. 4294 § 2, 1988.)

14 **18.04.456 Hazardous waste storage.**

15 “Hazardous waste storage” means the holding of hazardous waste for a temporary period.  
16 Accumulation of waste on the site of generation is not storage as long as the storage complies  
17 with applicable requirements of Chapter 173-303 WAC. (Ord. 4294 § 2, 1988.)

18 **18.04.457 Hazardous waste treatment.**

19 “Hazardous waste treatment” means the physical, chemical or biological processing of dangerous  
20 waste to make such wastes nondangerous or less dangerous, safer for transport, or amenable for  
21 energy or material resource recovery. (Ord. 4294 § 2, 1988.)

22 **18.04.458 Hazardous waste treatment and storage facility, off-site.**

23 “Off-site hazardous waste treatment and storage facility” means the treatment and storage of  
24 hazardous wastes from generators on properties other than that on which the off-site facility is  
25 located. (Ord. 4294 § 2, 1988.)

26 **18.04.459 Hazardous waste treatment and storage facility, on-site.**

27 “On-site hazardous waste treatment and storage facility” means the treatment and storage of  
28 hazardous wastes generated on the same site. (Ord. 4294 § 2, 1988.)

29 **18.04.460 Home occupation.**

30 “Home occupation” means any activity undertaken for gain or profit and carried on in a dwelling,  
31 or building accessory to a dwelling. (Ord. 4229 § 2, 1987.)



1 **18.04.465 Homeless encampment.**

2 “Homeless encampment” means an emergency homeless encampment hosted by a church or  
3 other organization, which provides temporary housing to homeless persons. (Ord. 6014 § 2,  
4 2006.)

5 **18.04.466 Horse riding, commercial.**

6 “Horse riding, commercial” means a land use established for the purpose of providing equestrian  
7 trails or other facilities for riding and keeping horses for a fee. This use includes bridle trails.

8 **18.04.470 Hospital.**

9 “Hospital” means an institution specializing in giving clinical, temporary and emergency services  
10 of a medical or surgical nature to human patients and which is licensed by state law to provide  
11 facilities, including overnight accommodations and services in surgery, obstetrics and general  
12 medical practice. This definition does not include small animal hospital or clinics, or veterinary  
13 clinics as defined in 18.04.480. (Ord. 4229 § 2, 1987.)

14 **18.04.480 Hospital or clinic, small animal.**

15 “Small animal hospital or clinic” means an establishment in which veterinary medical services  
16 and/or clipping, bathing and similar services are rendered to dogs, cats and other small animals  
17 and domestic pets, not including kennels. This definition does not include hospitals as defined in  
18 18.04.470. (Ord. 4304 § 1(3), 1988; Ord. 4229 § 2, 1987.)

19 **18.04.485 Host agency.**

20 “Host agency” means the owner of the property, being a religious institution or other  
21 organization, that joins a sponsoring agency in an application for a temporary use permit for  
22 providing basic services and support to homeless encampment residents, such as hot meals,  
23 coordination of other needed donations and services, etc. (Ord. 6014 § 3, 2006.)

24 **18.04.490 Hotel.**

25 “Hotel” means any building containing six or more guest rooms intended or designed to be used,  
26 or which are used, rented, or hired out to be occupied, or which are occupied for sleeping  
27 purposes by guests and includes additional amenities such as banquet halls and meeting facilities .  
28 (Ord. 4229 § 2, 1987.)

29 **18.04.495 Household pet.**

30 “Household pet” means a domesticated animal of ordinary species that lives, or is commonly  
31 known to be capable of living, within the confines of a residence. Animals considered to be  
32 common household pets include but are not necessarily limited to the following: dogs, cats,  
33 rabbits, caged indoor birds, small rodents, and fish. Animals not considered to be common  
34 household pets include but are not necessarily limited to the following: horses, cows, goats,  
35 sheep, swine, donkeys, chickens, endangered or exotic species and any similar species. [Editor’s

Note: define exotic species separately? See 18.06 comment] (Ord. 5777 § 1, 2003; Ord. 4229 § 2, 1987. Formerly 18.04.720.)

### **18.04.496 Housing rehabilitation.**

[Editor's Note: add definition based on staff recommendation]

### **18.04.497 Impervious surface.**

"Impervious surface" means a nonvertical surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil mantle at natural infiltration rates including, but not limited to, roofs, swimming pools and areas that are paved, packed or oiled earthen materials such as roads, walkways or parking areas. "Impervious surface" does not include landscaping and surface water flow control and water quality treatment facilities or graveled areas.

### **18.04.498 Incidental.**

"Incidental" means the size, intensity limited to portion of business, use of property or determined by director

[Note: Incidental definition may need additional work to complete.]

### **18.04.500 Junkyard.**

"Junkyard" includes automobile wrecking yards and salvage yards or any premises devoted wholly or in part to the storage, buying or selling of, or otherwise handling or dealing in, old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk. (Ord. 4229 § 2, 1987.)

### **18.04.510 Kennel.**

"Kennel" means a place where four or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs or cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months. (Ord. 4229 § 2, 1987.)

### **18.04.515 Kitchen.**

"Kitchen" means any room or portion of a room designed to be used for cooking or the preparation of food, having a kitchen-type sink and provisions available for a permanent gas or electric stove or range. (Ord. 4304 § 1(4), 1988.)

### **18.04.520 Landscaping.**

"Landscaping" means vegetative cover including shrubs, trees, flowers, seeded lawn or sod, ivy and other similar plant material. (Ord. 4229 § 2, 1987.)

1 **18.04.522 Lea Hill area.**

2 “Lea Hill area” means that area that lies east of the Green River and is within the corporate  
3 boundaries of the city of Auburn. (Ord. 5354 § 2, 2000.)

4 **18.04.525 Leadership in energy and environmental design (LEED).**

5 “Leadership in energy and environmental design (LEED)” means a national standard for  
6 developing high-performance, sustainable buildings. (Ord. 6036 § 7, 2006.)

7 **18.04.530 Lot.**

8 “Lot” means a parcel of land. “Lot” also means a legal lot for building purposes which shall be of  
9 at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to  
10 provide such yards and other open spaces as are required in this title. Such lot shall have access to  
11 an improved public street, or to an approved private street, and may consist of:

12 A. A single lot of record;

13 B. A portion of a lot of record;

14 C. A combination of complete lots of record, and portions of lots of record, if more than one lot  
15 is used for a building site then a lot line elimination shall be processed to remove the interior  
16 lot lines [Editor’s Note: change to boundary line adjustment];

17 D. A parcel of land described by metes and bounds; provided, that in no case shall the division  
18 or combination of any residual lot or parcel be created which does not meet the requirements  
19 of this code. Lots created by the county assessor’s office shall not be considered as building  
20 lots or lots that can be further subdivided unless in accordance with this title and land division  
21 ordinance. (Ord. 5170 § 1, 1998; Ord. 4229 § 2, 1987.) The term shall not include those tracts  
22 or parcels which are not buildable, but are created for common or public use such as road and  
23 utility tracts

24 **18.04.540 Lot area.**

25 [Editor’s Note: make consistent with ACC 17.04.205]

26 “Lot area” means the total horizontal area within the boundary lines of a lot, however, the area  
27 contained in access easements, tracts, or panhandles shall not be included in the lot area or any  
28 other lot size computation. (Ord. 4229 § 2, 1987.)

29 **18.04.550 Lot coverage.**

30 [Editor’s Note: add possible illustration]

31 “Lot coverage” means that percentage of the plot or lot area covered by all buildings including  
32 accessory buildings and uses. Coverage is determined by measuring along a horizontal plane from  
33 the outermost edge of eaves, cornices, overhangs, or areas covered by a weathertight roof. The

first two feet of an eave overhang will, however, not be used in the lot coverage calculation. (Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

### **18.04.560 Lot dimensions.**

[Editor's Note: need illustrations]

A. "Lot depth" means:

1. If the front and rear lines are parallel, the shortest distance between such lines;
2. If the front and rear lines are not parallel, the distance between the midpoint of the front lot line and the midpoint of the rear lot line.

B. "Lot width" means the horizontal distance between the lot side lines measured at right angles to the line comprising the depth of the lot at a point midway between the lot front line and the lot rear line. (Ord. 4229 § 2, 1987.)

### **18.04.570 Lot lines.**

[Editor's Note: need illustration – front lot line, rear lot line, etc.]

"Lot lines" means the lines bounding the lot.

A. Front lot line:

1. For an interior lot, the front lot line shall be that lot line which abuts the street right-of-way.
2. For a corner lot, the front lot line shall be that lot line which abuts a street right-of-way and bests conforms to the pattern of existing site development and/or the pattern of adjacent development, as determined by the director.
3. For a through lot, the front lot line shall be that lot line which abuts a nonarterial street or from which primary access is provided.

B. Rear lot line: the line opposite, most distant and most parallel with the front lot line. For a biangular or gore-shaped lot, a line 10 feet in length within the lot and farthest removed from the front lot line and at right angles to the line comprising the depth of the lot shall be used as the rear lot line.

[Editor's Note: particular instance of needing illustration would be the "biangular/gore-shaped lot" example]

C. Side lot line: all lot lines which do not qualify as a rear or front lot line.

D. Panhandle lot lines: for a panhandle lot, the lot lines shall be approved by the planning director. The lot lines shall be most consistent with the adjoining lot lines and shall take into

consideration any unique physical characteristics of the property. (Ord. 6031 § 1, 2006; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987). [Editor's Note: need illustration]

### **18.04.580 Lot of record.**

"Lot of record" means a lot which is recorded in the offices of King County or Pierce County and in conformance with this title and the land division ordinance. (Ord. 5170 § 1, 1998; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987.)

### **18.04.590 Lot types.**

[Editor's Note: add possible illustration]

- A. "Corner lot" means a lot situated at the intersection of two or more streets.
- B. "Interior lot" means a lot that is neither a corner or through lot.
- C. "Through lot" means a lot other than a corner lot, which abuts two streets.
- D. "Panhandle lot" means a lot accessed, from the abutting street, by a narrow corridor of land within the same lot.

The area within the panhandle access shall not be included in any lot size calculation including lot area, lot width, lot depth or lot coverage.

No buildings shall be erected within the panhandle access.

See ACC 18.31.130 for development standards for panhandle lots. (Ord. 5543 § 1, 2001; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987.)

### **18.04.595 Low impact development.**

"Low impact development" means a stormwater management and land development strategy that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrology. The goal is to prevent measurable harm to streams, lakes, wetlands, and other natural aquatic systems from commercial, residential or industrial development sites. (Ord. 6036 § 8, 2006.)

### **18.04.600 Manufactured home.**

[Note: Need to review/possibly edit definition based on KS comment.]

"Manufactured home" means a single-family dwelling which:

- A. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
- B. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and

1 C. Has exterior siding similar in appearance to siding materials commonly used on site-built  
2 single-family homes built in accordance with the International Building Code (IBC). (Ord.  
3 6162 § 2, 2008; Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

4 This definition does not include a mobile home as defined by ACC 18.04.630 or a  
5 recreational vehicle as defined by ACC 18.04.780. A manufactured home may be considered  
6 a single-family dwelling if sited per ACC 18.31.050.

#### 7 **18.04.610 Manufactured home community.**

8 “Manufactured home community” means an area of not less than five acres designed to  
9 accommodate individual manufactured homes within the approved park boundaries. (Ord. 4229 §  
10 2, 1987.)

#### 11 **18.04.620 Medical-dental clinic.**

12 “Medical-dental clinic” means an establishment for treatment of outpatients, and providing no  
13 overnight care for patients. (Ord. 4229 § 2, 1987.)

#### 14 **18.04.630 Mobile home.**

15 [Note: Need to review/possibly edit definition based on KS comment.]

16 “Mobile home” means a factory-constructed residential unit with its own independent sanitary  
17 facilities, that is intended for year-round occupancy, and is composed of one or more major  
18 components which are mobile in that they can be supported by wheels attached to their own  
19 integral frame or structure and towed by an attachment to that frame or structure over the public  
20 highway under license or by special permit. This definition does not include a manufactured  
21 home as defined by ACC 18.04.600 or a recreational vehicle as defined by ACC 18.04.780. (Ord.  
22 6162 § 3, 2008; Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

#### 23 **18.04.640 Motel.**

24 “Motel” or “motor hotel” means a group of buildings containing individual sleeping or living  
25 units, designed for use by automobile tourist or transients, with garage attached or parking space  
26 conveniently located to each unit. (Ord. 4229 § 2, 1987.)

#### 27 **18.04.641 Multi-modal transportation corridor.**

28 [Editor’s Note: add definition based on staff recommendation]

#### 29 **18.04.642 Municipal park.**

30 “Municipal park” is a parcel or tract of land provided by a unit of government to meet the active  
31 and/or passive recreational needs of people. This definition includes associated playgrounds and  
32 active recreation areas.

1 **18.04.643 Museum.**

2 “Museum” is a cultural facility established and used for the education and enjoyment of the  
3 public through exhibits and displays of historical, cultural, or other related subjects.

4 **18.04.644 Neighborhood recreation buildings**

5 Facilities owned and managed by a neighborhood homeowners’ association for recreational and  
6 community gatherings.

7 **18.04.645 Net buildable area.**

8 “Net buildable area” is the "site area" less the following areas:

9 A. Areas within a project site that are required to be dedicated for public rights-of-way in  
10 excess of sixty feet in width;

11 B. Critical areas and their buffers to the extent they are required by A.C.C. chapter 16.10  
12 to remain undeveloped;

13 C. Areas required for storm water control facilities other than facilities that are  
14 completely underground, including, but not limited to, retention or detention ponds,  
15 biofiltration swales and setbacks from such ponds and swales;

16 D. Areas required to be dedicated or reserved as on-site recreation areas;

17 E. Regional utility corridors; and

18 F. Other areas, excluding setbacks, required to remain undeveloped.

19 **18.04.650 Nonconforming use.**

20 “Nonconforming use” means a use which when commenced, complied with use regulations  
21 applicable at the time when such use was commenced, and which does not conform to the  
22 existing use regulations of the zone where the use is now being conducted or carried on. The term  
23 “nonconforming use” shall be applicable to use of buildings, structures, and land. This definition  
24 does not include those uses existing in the zone, prior to the adoption of this title, which would  
25 now require an administrative or conditional use permit to operate in the zone. Any expansion of  
26 the space, volume or area of the use would then require an administrative or conditional use  
27 permit as this title may require. (Ord. 4229 § 2, 1987.)

28 **18.04.660 Nursing home.**

29 “Nursing home,” “rest home,” “convalescent home,” “guest home” and “home for the aged”  
30 means a home operated similarly to a boardinghouse but not restricted to any number of guests or  
31 guest rooms, the operator of which is licensed by the state or county to give special care and cure  
32 to his or her charges, and in which nursing, dietary and other personal services are furnished to  
33 convalescents, invalids and aged persons, and in which homes are performed no surgery,  
34 maternity or any other primary treatments such as customarily provided in hospitals, and in which  
35 no persons are kept or served who normally would be admitted to a mental hospital or to a group  
36 residence facility. This definition does not include group residence facilities as defined in this  
37 title. (Ord. 4304 § 1(5), 1988; Ord. 4229 § 2, 1987.)

38 [Note: Staff comment to distinguish from assisted living.]

1 **18.04.670 Occupancy.**

2 “Occupancy” means the purpose for which a building is used or intended to be used. The term  
3 shall also include the building or room housing such use. Change of occupancy is not intended to  
4 include change of tenants or proprietors. (Ord. 4229 § 2, 1987.)

5 **18.04.672 Outdoor sales.**

6 “Outdoor sales” means an open area used for the display, sale, or rental of goods and/or materials  
7 that are actively marketed and readily available for general public consumption. This does not  
8 include storage areas of materials that are sold elsewhere on the premises or junkyards as defined  
9 by ACC 18.04.500. (Ord. 4229 § 2, 1987.)

10 **18.04.676 Outdoor storage.**

11 “Outdoor storage” means the keeping of materials, supplies, equipment, machinery and vehicles  
12 which are not currently licensed or capable to operate on public streets or highways, in an open,  
13 uncovered yard or nonwalled buildings. This definition includes junkyards as defined by ACC  
14 18.04.500, but excludes outdoor sales as defined by ACC 18.04.672. (Ord. 4229 § 2, 1987.)

15 **18.04.678 Panoram or peepshow.**

16 Repealed by Ord. 5835. (Ord. 4885 § 4, 1996.)

17 **18.04.680 Parking area.**

18 “Parking area” includes an off-street parking area together with driveways and the access to a  
19 public street. (Ord. 4229 § 2, 1987.)

20 **18.04.690 Parking space or stall.**

21 A “parking space” is any off-street space intended for the use of vehicular parking with ingress or  
22 egress to the space which is easily identifiable. (Ord. 4229 § 2, 1987.)

23 **18.04.692 Parking structure.**

24 [Editor’s Note: add definition based on staff recommendation]

25 **18.04.696 Permitted use.**

26 “Permitted use” is a land use that is allowed outright within a zone.

27 **18.04.700 Person.**

28 “Person” means natural person, joint venture, joint stock company, partnership, association, club,  
29 company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer  
30 or employee of any of them. (Ord. 4229 § 2, 1987.)



1 **18.04.710 Personal service shop.**

2 “Personal service shop” means premises devoted to hair styling, cutting or permanents,  
3 manicurists, custom tailoring, and similar related uses. (Ord. 4229 § 2, 1987.)

4 **18.04.730 Planning commission.**

5 “Planning commission” means that body created by Chapter 2.45 ACC. (Ord. 4229 § 2, 1987.)

6 **18.04.740 Planning director.**

7 “Planning director” means the person designated by the mayor as the director of the city  
8 department of planning, building, and community or any successor office having responsibility  
9 for management of land use regulations in the City of Auburn and the enforcement of this title, or  
10 his designee. (Ord. 4229 § 2, 1987.)

11 **18.04.744 Prerelease facility.**

12 “Prerelease facility” has the same meaning as “work release facility” for the purposes of this title.  
13 See ACC 18.04.914. (Ord. 4590 § 3 (Exh. B), 1992.)

14 **18.04.746 Private country clubs and golf courses, excluding driving**  
15 **ranges**

16 An area designed and used for playing golf, including all accessory uses incidental to the  
17 operation of the facility. This definition may include private country club, or golf courses open to  
18 the general public. This definition excludes other outdoor recreational facilities such as driving  
19 ranges, municipal parks, or commercial horse riding and bridal trails.

20 **18.04.748 Privately owned and operated Parks and Playgrounds**

21 add definition

22 **18.04.750 Professional offices.**

23 “Professional offices” means offices maintained and used as places of business conducted by  
24 persons engaged in health services for human beings, such as doctors and dentists, and by  
25 engineers, attorneys, realtors, architects, accountants, clerical, and other recognized general office  
26 and medical occupations. (Ord. 4229 § 2, 1987.)

27 [Note: distinguish between commercial and medial officers per ITE comment?]

28 **18.04.752 Prohibited use.**

29 “Prohibited use” means any use which is not specifically enumerated or interpreted by the City as  
30 allowable in that zone. Any use not specifically listed as a permitted, conditional, or accessory  
31 use is prohibited, except those determined to be unclassified and permitted by the Planning  
32 Director pursuant to ACC 18.02.120B. Any prohibited use is illegal.

1 **18.04.754 Public Art.**

2 [Editor's Note: add definition based on staff recommendation]

4 **18.04.756 Public Recreational Amenity**

5 [Editor's Note: add definition based on staff recommendation]

6 **18.04.760 Public use.**

7 "Public use" means a use operated exclusively by a public body, such use having the purpose of  
8 serving the public health, safety, or general welfare, and including uses such as public schools,  
9 parks, playgrounds, and administrative and service facilities. (Ord. 4229 § 2, 1987.)

10 **18.04.770 Quasi-public use.**

11 "Quasi-public use" means a use operated by a private nonprofit educational, religious,  
12 recreational, charitable, or medical institution having the purpose primarily of serving the general  
13 public, and including uses such as churches, private schools, and universities, community, youth  
14 and senior citizen recreational facilities, private hospitals, and the like. (Ord. 4229 § 2, 1987.)

15 **18.04.780 Recreational vehicle, camping trailer, travel trailer, motor**  
16 **home and truck camper.**

17 "Recreational vehicle," "camping trailer," "travel trailer," "motor home" and "truck camper"  
18 mean vehicular-type units primarily designed as temporary living quarters for recreational,  
19 camping or travel use, with or without motive power, being of such size or weight as not to  
20 require a special highway movement permit and is licensed by the state as a recreational vehicle.  
21 (Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

22 **18.04.790 Recreational vehicle park.**

23 "Recreational vehicle park" means a parcel of land designed and improved to accommodate two  
24 or more recreational vehicles on a temporary basis. Spaces are typically rented for overnight use,  
25 not to exceed 120 days. (Ord. 4229 § 2, 1987.)

26 **18.04.792 Religious institution.**

27 "Religious institution" means an establishment that provides religious worship, religious services  
28 or religious ceremonies as its principal use with the sanctuary or principal place of worship  
29 contained within a principal building. Incidental and accessory uses that include Sunday school  
30 rooms, daycare, classrooms, kitchen, library room or reading room, recreation hall or offices are  
31 permitted in the principal building or in separate buildings. Caretaker's quarters or living quarters  
32 for employees are also permissible as an accessory use. The following incidental and accessory  
33 uses to a religious institution are not permitted unless allowed under a valid temporary use permit  
34 issued pursuant to ACC 18.46.090: (A) facilities for training of religious orders; (B) nonemployee

rooms for rent, boarding rooms or similar facilities; or (C) public showers or other public health services. (Ord. 6014 § 1, 2006; Ord. 5550 § 1, 2001.)

[Note: Staff considering whether to allow private denominational schools as a religious institution.]

#### **18.04.794 Renting of Rooms**

“Renting of Rooms” is the renting of rooms for lodging purposes only to not more than two persons in addition to the family who lives in the residence.

#### **18.04.800 Residence.**

“Residence” means a building or structure, or portion thereof, which is designed for and used to provide a place of abode for human beings, but not including hotels or motel units having no kitchens. The term “residence” includes the term “residential” as referring to the type of, or intended use of a building or a structure. (Ord. 4229 § 2, 1987.)

#### **18.04.805 Restaurant, full-service.**

“Full-service restaurant” means a public eating place that is used, maintained, advertised and held out to the public as a place that has a full dinner and/or lunch menu serving full course meals, daily prepared in its own kitchen, that are typically served at a table or counter. Food prepared to go or for take-out is allowed as an accessory use as long as the same menu and kitchen is used as for the full-service restaurant. This definition excludes fast food, drive-in types of restaurants, which have characteristics including but not limited to a drive-through window, counter-only service and no waiters or waitresses.

A full-service restaurant may serve alcoholic beverages that are incidental and complimentary to the serving of food. A full-service restaurant may contain a lounge where the primary function is the sale, serving and consumption of alcoholic beverages, but the size of this lounge may not exceed 30 percent of the total gross floor area of the establishment. Any eating place that serves alcoholic beverages and does not meet the requirements of this definition will be considered a tavern as defined by ACC 18.04.895. (Ord. 5382 § 1, 2000.)

#### **18.04.806 Schools, elementary, and middle/junior high.**

“Schools, elementary, and middle/junior high” are institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades kindergarten through nine, including associated meeting rooms, auditoriums and athletic facilities.

#### **18.04.807 Schools, secondary or high school.**

“Schools, secondary or high school” are institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades nine through twelve, including associated meeting rooms, auditoriums and athletic facilities.

1 **18.04.808 Secure community transition facility.**

2 “Secure community transition facility” means a residential facility for persons civilly committed  
3 under Chapter 71.09 RCW, Sexually Violent Predators, who are conditionally released under said  
4 chapter to a less restrictive alternative (to total confinement or imprisonment). A secure  
5 community transition facility has supervision and security, and either provides or ensures the  
6 provision of sex offender treatment services. Secure community transition facilities include but  
7 are not limited to the facilities established pursuant to RCW 71.09.250 and any community-based  
8 facilities established under this chapter and operated by or under contract with the Washington  
9 State Department of Social and Health Services. (Ord. 5690 § 3, 2002.)

10 **18.04.809 Senior Housing**

11 [Editor’s Note: add definition based on staff recommendation – also may need to shift other  
12 numbers to allow slot for Senior Housing]

13 **18.04.810 Setback**

14 [Editor’s Note: add possible illustration]

15 A “setback” is the minimum required distance between a structure and a specified line (lot line,  
16 right-of-way, easement, etc.). Setback areas are required to remain free of structures, except as  
17 provided in the setback standards for each zoning district, which are provided in ACC 18.xx.xxx.

18 [Note: address comment on utility access/easement]

19 **18.04.810 Shopping center.**

20 “Shopping center” means a series of unified commercial establishments which provide retail,  
21 business, entertainment or professional services, share the same parking facilities and contain in  
22 excess of 100,000 square feet of gross floor area. (Ord. 4229 § 2, 1987.)

23 [Note: staff comment on definition related to ITE manual.]

24 **18.04.820 Sign.**

25 “Sign” means any visual communication device, structure, or fixture which is visible from any  
26 right-of-way intended to aid the business establishment in question in promoting the sale of a  
27 product, goods or service using graphics symbols or written copy. It shall be restricted solely to  
28 graphics, symbols or written copy that is meant to be used in the aforementioned way. (Ord. 4229  
29 § 2, 1987.)

30 **18.04.821 Site.**

31 “Site” is a legally created single lot or parcel used for a development proposal in order to  
32 calculate compliance with the standards and regulations of this title.

33 [Note: address staff comment on King County definition of “site.”]

1 **18.04.822 Site area.**

2 “Site area” is the total horizontal area of a project site.

3 **18.04.824 Social and service organizations.**

4 “Social and service organizations” refers to incorporated or unincorporated nongovernmental or  
5 private association of persons organized for social, education, literary or charitable purposes. This  
6 definition also includes community meeting halls, philanthropic institutions, private clubs,  
7 fraternal or nonprofit organizations, and social service organizations. This definition excludes  
8 religious institutions and government facilities.

9 **18.04.825 Solid waste.**

10 “Solid waste” means all putrescible and nonputrescible solid and semisolid wastes including, but  
11 not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction  
12 wastes, abandoned vehicles or parts thereof, and discarded commodities. (Ord. 4262 § 1, 1988.  
13 Formerly 18.04.023.)

14 **18.04.826 Solid waste processing facility.**

15 “Solid waste processing facility” means the management, collection, transportation, temporary  
16 storage, treatment, utilization, and processing of solid wastes by means of pyrolysis, refuse-  
17 derived fuel, or mass incineration within an enclosed structure. These processes may include  
18 source separation and recovery of recyclable materials from solid wastes, the recovery of energy  
19 resources from such wastes or the conversion of the energy in such wastes to more useful forms  
20 or combinations thereof. This definition refers to citywide or regional scale operations and does  
21 not include solid waste handling which is accessory to an individual principal use. (Ord. 4262 § 1,  
22 1988. Formerly 18.04.025.)

23 **18.04.828 Sponsoring agency.**

24 “Sponsoring agency” means an organization that joins in an application with a host agency for a  
25 temporary use permit and assumes responsibility for providing basic services and support to  
26 homeless encampment residents, such as hot meals, coordination of other needed donations and  
27 services, etc. (Ord. 6014 § 4, 2006.)

28 **18.04.829 Special Needs Housing.**

29 [Editor’s Note: add definition based on staff recommendation]

30 **18.04.830 Specified anatomical areas.**

31 Repealed by Ord. 5835. (Ord. 4229 § 2, 1987.)

32 **18.04.840 Specified sexual activities.**

33 Repealed by Ord. 5835. (Ord. 4229 § 2, 1987.)

1 **18.04.850 Spot zoning.**

2 “Spot zoning” means zoning a relatively small area differently from the zoning of the surrounding  
3 area, usually for an incompatible use not consistent with the comprehensive plan. (Ord. 4229 § 2,  
4 1987.)

5 **18.04.860 Story.**

6 “Story” means that portion of a building, included between the surface of any floor and the  
7 surface of the floor next above it, or if there is no floor above it, then the space between the floor  
8 and the ceiling next above it. If the finished floor level directly above a usable or unused under-  
9 floor space is more than six feet above grade as defined in this chapter for more than 50 percent  
10 of the total perimeter or is more than 12 feet above grade as defined in this chapter at any point,  
11 such usable or unused underfloor space shall be considered as a story. (Ord. 4229 § 2, 1987.)

12 **18.04.870 Street, private.**

13 “Private street” means any easement, tract or street which is not a public street. For the purposes  
14 of this title a private street will be considered as being public streets for determining setback  
15 provisions, only. Driveways which are not part of an easement, tract or street shall not be  
16 considered a street. (Ord. 4229 § 2, 1987.)

17 [Note: noted comment on definition of private street. Address in next round.]

18 **18.04.880 Street, public.**

19 “Public street” means and includes all streets, highways, freeways, avenues, lanes, alleys, courts,  
20 places or other public ways in the city, whether improved or unimproved, publicly held and  
21 intended to be open as a matter of right to public vehicular travel. (Ord. 4304 § 1(6), 1988; Ord.  
22 4229 § 2, 1987.)

23 [Note: noted several comments on definition of public street, including request for city attorney  
24 office involvement.]

25 **18.04.890 Structure.**

26 “Structure” is that which is built or constructed, an edifice or building of any kind, or any piece of  
27 work artificially built up or composed of parts joined together in some definite manner, except  
28 benches, statuary, planter boxes less than 42 inches in height, and fences 72 inches or under in  
29 height, or paved areas. (Ord. 4229 § 2, 1987.)

30 **18.04.891 Supportive housing.**

31 “Supportive housing” means a multiple-family dwelling owned or sponsored by a nonprofit  
32 corporation or government entity, designed for occupancy by individual adults that are either (A)  
33 homeless or at risk of homelessness; (B) are experiencing a disability that presents barriers to  
34 employment and housing stability; or (C) generally require structured supportive services to be  
35 successful living in the community; is permitted at a greater unit density than otherwise allowed  
36 within a particular zone; and is intended to provide long-term, rather than transitional, housing.

Long-term housing is approximately longer than two years, whereas transitional housing is no more than 18 months. (Ord. 6167 § 1, 2008.)

### **18.04.892 Sustainable design.**

“Sustainable design” means design in which the impact of a building on the environment will be minimal over the lifetime of that building. Structures should incorporate the principles of energy and resource efficiency, practical applications of waste reduction and pollution prevention, good indoor air quality and natural light to promote occupant health and productivity, and transportation efficiency in design and construction, during use and reuse. (Ord. 6036 § 9, 2006.)

### **18.04.895 Tavern.**

“Tavern” means an establishment operated primarily for the sale of wine, beer or other alcoholic beverage that may or may not include the service of food as an accessory use. (Ord. 5382 § 1, 2000.)

### **18.04.896 Transmitting Tower.**

[Editor’s Note: add definition based on staff recommendation – add definition of hobby radio?]

### **18.04.897 Unclassified use.**

“Unclassified use” means a land use which does not appear in a list of permitted, conditionally permitted, or accessory uses, but which is interpreted by the Planning Director as similar to a listed permitted, conditionally permitted or accessory use, and not otherwise prohibited, pursuant to ACC 18.02.120.

### **18.04.900 Use.**

“Use” means an activity or purpose for which land or premises or a building thereon is designed, arranged, intended, or for which it is occupied or maintained, let or leased. (Ord. 4229 § 2, 1987.)

### **18.04.901 Utility substation.**

“Utility substation” is a facility related to the provision, distribution, collection, and transmission of water, storm drainage, sanitary sewage, oil, gas, power, and telephone cable, and includes facilities for the generation of electricity. This definition does not include sewage disposal or wireless communication facilities.

[Note: address comments on “Utility Substation” definition. Define/regulate city utilities separately from franchise utilities?]

### **18.04.910 Variance.**

“Variance” means an adjustment in the application of the specific regulations of this title to a particular piece of property. (Ord. 4229 § 2, 1987.)

1 **18.04.911 West Hill.**

2 [Editor's Note: add definition based on staff recommendation – see Lea Hill definition]

3 **18.04.912 Wireless communications.**

4 [Note: address wireless communication comments from staff.]

5 “Wireless communications” means the provision of any personal wireless service, as defined in  
6 the Telecommunications Act of 1996, and for the purposes of this title includes the following  
7 terms:

8 A. “Antenna” means a device used in wireless communications which transmits and/or receives  
9 radio signals. Antennas include the following types:

- 10 1. Accessory: Antennas including, but not limited to, test mobile antennas and Global  
11 Positioning System (GPS) antennas which are less than 12 inches in height or width and  
12 do not directly provide personal wireless communication.
- 13 2. Directional or panel: An antenna or array of antennas designed to transmit a radio signal  
14 in a particular direction typically encompassing an arc of 120 degrees. Panel antennas,  
15 also called directional antennas, are typically flat, rectangular devices approximately six  
16 square feet in size.
- 17 3. Dish or parabolic: A bowl-shaped device for the reception and/or transmission of radio  
18 frequency communications signals in a specific directional pattern.
- 19 4. Whip, rod or omni-directional antenna: An antenna, tubular in shape, that transmits and  
20 receives signals throughout a 360-degree range.
- 21 5. Other: All other transmitting or receiving equipment not specifically described herein  
22 shall be regulated in conformity with the type of antenna defined herein which most  
23 closely resembles such equipment.

24 B. “Antenna array” means one or more rods, panels, discs or similar devices attached to a  
25 support structure used for the transmission or reception of radio frequency signals.

26 C. “Attached wireless communications facility (WCF)” means an antenna array which is  
27 attached to an existing building or structure.

28 D. “Carrier” means a company providing wireless communication services, also referred to as a  
29 provider.

30 E. “Co-location” means the use of a common WCF or site by two or more wireless license  
31 holders, or by one wireless license holder for more than one type of communications  
32 technology.



1 F. "Equipment facility" means a structure used to contain ancillary equipment for a WCF which  
2 may include cabinets, shelters, an addition to an existing structure, pedestals and other similar  
3 structures.

4 G. "Microcells" are typically located in and exclusively benefit residential neighborhoods.

5 1. Microcells consist of an antenna that is either: (a) a dish or parabolic antenna that is no  
6 more than four feet in height and with an area of not more than 580 square inches; or (b)  
7 a tubular antenna that is no more than four inches in diameter and no more than six feet in  
8 height; or (c) one or more panel antenna that is no more than six feet in height, and its  
9 width or depth is no more than six inches and the aggregate area of such panel antenna(s)  
10 would not exceed 580 square inches that would be visible from any one viewpoint; or (d)  
11 similar antennas that are of comparable size and shape.

12 H. "Separation" means minimum distance required between primary support structures.

13 I. "Support structure" means the structure to which antenna and other necessary associated  
14 hardware are attached. Support structures include but are not limited to the following:

15 1. Lattice tower: A structure of varying height that consists of a network of crossed metal  
16 braces forming a tower which is usually triangular or square in cross section. To be  
17 considered a primary support structure.

18 2. Monopole: A structure of varying height consisting of a single spire sunk into the ground  
19 and/or attached to a foundation. To be considered a primary support structure.

20 3. Other structures: This may include existing buildings, water towers, athletic field light  
21 poles, or other similar structures. To be considered a secondary support structure.

22 J. "Wireless communications facility (WCF)" means any nonstaffed facility for the  
23 transmission and/or reception of wireless telecommunications services, typically consisting of  
24 an antenna array, an equipment facility and/or a support structure.

25 For the purposes of determining in which zones wireless communications facilities are to be  
26 permitted, they will be classified pursuant to the following types. Refer to the table in ACC  
27 18.31.100(K) to determine which zones allow for the following types of facilities:

28 TYPE 1. Type 1 are new antennas erected on existing buildings or nonresidential structures.

29 There are four separate Type 1 categories described as follows:

30 1-A. The combined height of the antenna together with the height of the existing  
31 building cannot be 25 percent greater than the existing building or exceed the height  
32 limitation of the zone in which the building is located.

33 1-B. The combined height of the antenna together with the height of the existing building  
34 cannot be 50 percent greater than the existing building or exceed the height limitation of  
35 the zone in which the building is located.

1 1-C. The combined height of the antenna together with the height of the existing building  
2 is 50 percent greater than the existing building or exceeds the height limitation of the  
3 zone in which the building is located. The height limitation of the zone can only be  
4 exceeded by 25 percent.

5 1-D. Antenna located on existing water towers, athletic field light poles, or similar public  
6 utility infrastructure not located within public street right-of-way. The height limitation of  
7 the WCF will be 10 percent of the existing structure height, but may be increased to a  
8 maximum of 20 percent with an administrative use permit and may be increased to a  
9 maximum of 30 percent with a conditional use permit. The height limitation of the zone  
10 may be exceeded relative to the above provisions allowed for a 1-D facility.

11 TYPE 2. Type 2 are new antennas erected on existing (primary) support structures that have  
12 previous city approvals. There are two separate Type 2 categories described as follows:

13 2-A. Must meet height requirements of previous approval and is limited to 50 percent  
14 total (cumulative) expansion of equipment area.

15 2-B. Has greater height requirements than previous approval and allows for more than a  
16 50 percent expansion of the equipment area.

17 TYPE 3. Type 3 is the erection of new (primary) support structures. There are two separate  
18 Type 3 categories described as follows:

19 3-A. Monopoles that are 75 feet or less in height.

20 3-B. Monopoles that are more than 75 feet in height or lattice towers of any height. (Ord.  
21 5777 § 1, 2003; Ord. 5645 § 1, 2002; Ord. 5020 § 1, 1997.)

## 22 **18.04.914 Work release facility.**

23 “Work release facility” means a residential alternative to imprisonment, including work/training  
24 release and prerelease programs which are under the supervision of a court, federal, state or local  
25 agency. This definition excludes at-home electronic surveillance. (Ord. 4590 § 4 (Exh. C), 1992.)

## 26 **18.04.920 Yard.**

27 [Editor’s Note: add possible illustrations for yard, front yard, rear yard, etc.]

28 [Note: Also address whether yard and setback are needed. One and the same thing?]

29 “Yard” means an open space, other than a court on a lot, unoccupied and obstructed from the  
30 ground upward unless specifically otherwise permitted in this title. When applicable, yards shall  
31 be measured from the street right-of-way whether improved or not. (Ord. 4229 § 2, 1987.)

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## Chapter 18.06 Residential Zones

18.06.010	Residential	Zones	Intent
18.06.020	Residential	Zone	Uses
18.06.030	Residential Zones Development Standards		

### 18.06.010 RESIDENTIAL ZONES INTENT

#### A. General

This section describes the intent statements for several of the City's residential zones. These intent statements may be used to guide the interpretation of the regulations associated with each zone.

#### B. (RC) Residential Conservancy Zone - 1 dwelling unit per 4 gross acres

The RC - Residential Conservancy zone is intended primarily to provide for low-intensity single-family residential uses with characteristics of an agricultural environment; provided, that the agricultural uses are secondary to the single-family uses. This zone is intended to protect areas with significant environmental constraints or values from impacts typically associated with urban levels of development while allowing low-intensity development designed to minimize impacts on the natural environmental features designated for conservation.

Public improvements required within the R-C zone will be less than is normally required for the higher intensity residential zones within the city.

This zone shall only be applied in areas designated as Residential Conservancy on the comprehensive plan. This zone shall allow 1 dwelling unit per 4 gross acres minimum lot area. (Ord. 4229 § 2, 1987.)

#### C. RS-1 Single Family Residential Zone - 1 dwelling unit per gross acre

The intent of the RS-1 residential zone is to provide areas for estate-type residential development on large lots. This zone would normally be located in the areas particularly suited for such development.

Appropriate development standards required of other urban areas shall be required to serve this zone. This zone shall allow 1 dwelling unit per gross acre. (Ord. 4229 § 2, 1987.)

#### D. RS-5 Single Family Residential Zone - 5 dwelling units per gross acre

The RS-5 single-family residential zones are intended to create a living environment of optimum standards for single-family dwellings. It is further intended to achieve development densities of approximately 4 dwelling units per net acre. This zone will provide for the development of single-family detached dwellings, and for such accessory uses as are related, incidental and not detrimental to the single-family residential environment. (Ord. 4229 § 2, 1987.)

E. RS-7 Single Family Residential Zone - 7 dwelling units per gross acre

The RS-7 single-family residential zones are intended to create a living environment of optimum standards for single-family dwellings. It is further intended to achieve development densities of approximately 5 dwelling units per net acre. This zone will provide for the development of single-family detached dwellings, and for such accessory uses as are related, incidental and not detrimental to the residential environment. Multiple family dwellings may be permitted as conditional uses only to the extent such uses conform to guidelines of the comprehensive plan. (Ord. 4229 § 2, 1987.)

F. RM-10 Multiple Family Residential Zone - 10 dwelling units per gross acre

The RM-10 residential zones are intended to permit some increase in population density in those areas to which this classification applies by permitting two dwelling units on a minimum size lot while at the same time, by means of the standards and requirements set forth in this chapter, maintaining a desirable family living environment by establishing minimum lot areas, yards and open spaces. A related consideration is to provide a transition between single-family areas and other intensive designations or activities which reduce the suitability for single-family uses. (Ord. 4229 § 2, 1987.)

G. RM-16 Residential Multiple Family Zone – 16 dwelling units per gross acre.

The RM-16 zone is intended to provide for medium density multiple family residential development as designated in the comprehensive plan, and is further intended as a residential zone of single, duplex and multiple-family residences, except as specifically provided elsewhere in this chapter.

H. RM-20 Multiple Family Residential Zone – 20 dwelling units per gross acre.

The RM-20 zone is intended to provide for multiple-family residential development and is further intended as a residential zone primarily of duplex and multiple-family residences, except as specifically provided elsewhere in this chapter. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use. (Ord. 4229 § 2, 1987.)

90 **18.06.020 Residential Zone Uses**

91 **Permitted Use Table–Residential Zoning Designations**

**P = Permitted C = Conditional Use X = Not Permitted**

**[Note: need to organize by use type and alphabetize in use type categories]**

Land Uses	Zoning Designations						
	R-C	RS-1	RS-5	RS-7	RM-10	RM-16	RM-20
<u>Accessory dwelling units</u>	P	P	P	P	X <sup>2</sup>	X <sup>3</sup>	X <sup>4</sup>
Accessory use, residential	P	P	P	P	P	P	P
<u>Adult Family Home</u>	C	C	C	C	C	C	C
Agricultural type uses are permitted provided they are incidental and secondary to the single-family use:							
Agricultural crops and open field growing	P	X	X	X	X	X	X
Barns, silos and related structures	P	X	X	X	X	X	X
Greenhouses	P	X	X	X	X	X	X
Keeping of livestock (excluding goats and swine), fowl and rabbits; provided, that there shall not be more than one horse, cow, donkey or other large animal, or four small animals such as sheep, or 12 poultry, rabbits, or similar size animals per each acre of enclosed usable pasture or roaming area. This acreage requirement is in addition to the minimum lot size requirements of the zone [Note: Staff comment on need to account for proximity to wells, surface waters, and compliance with surface water regulations. Recommendation to include detail related to animals and livestock in supplemental regulations.]	P	P	X	X	X	X	X
Pasturing and grazing	P	X	X	X	X	X	X
Public and private stables	P	X	X	X	X	X	X

<sup>2</sup> An accessory dwelling unit may be permitted with an existing single-family residence pursuant to ACC 18.31.120

<sup>3</sup> An accessory dwelling unit may be permitted with an existing single-family residence pursuant to ACC 18.31.120

<sup>4</sup> An accessory dwelling unit may be permitted with an existing single-family residence pursuant to ACC 18.31.120

Land Uses	Zoning Designations						
	R-C	RS-1	RS-5	RS-7	RM-10	RM-16	RM-20
Roadside stands, for the sale of agricultural products raised on the premises. The stand cannot exceed 300 square feet in area and must meet the applicable setback requirements	P	X	X	X	X	X	X
Boardinghouses (with three or more boarders)	X	X	X	X	C	C	C
Civic, social and fraternal clubs	X	X	X	X	C	C	C
Commercial horse riding and bridle trails	C	X	X	X	X	X	X
<u>Cottage housing</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Daycare limited to a mini daycare center. Daycare center, preschool or nursery schools may also be permitted but must be located on an arterial	X	C	C	C	C	C	C
Duplexes, provided that minimum lot size of zoning designation is met and subject to compliance with Chapter 18.25 (Infill Residential Standards)	X	X	C	C <u>P</u>	P <sup>5</sup>	X	X
Family day care as regulated by RCW 35.63.185 and through receipt of approved City business license	P	P	P	P	P	P	P
Fish hatcheries	C	X	X	X	X	X	X
Foster care homes	C	C	C	C	C	C	C
Government facilities	X	C	C	C	C	C	C
Group residence facilities (7 or more residents) [Note: Policy discussion/Legal review pending.]	X	X	X	X	C	C	C
Group residence facilities (6 or fewer residents) [Note: Policy discussion/Legal review pending.]	P	P	P	P	P	P	P
Guest houses not including accessory dwelling units [Note: currently "guest cottage" is found in accessory residential use list in existing code.]	P	P	P	P	X	X	X
<u>Home occupations subject to compliance with Chapter 18.60 of Auburn City Code</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Hospitals (except animal hospitals)	X	X	X	X	<u>X</u>	<u>X</u>	C
Keeping of not more than six household pets. This limit shall not include birds, fish or suckling young of pets [Editor's Note: In most zones, only four household pets currently permitted. Six are permitted in RC zone.]	P	P	P	P	X	<u>X</u>	<u>X</u>
Employee Quarters, which are not accessory structures	C	X	X	X	X	X	X

<sup>5</sup> [Note:..]

Land Uses	Zoning Designations						
	R-C	RS-1	RS-5	RS-7	RM-10	RM-16	RM-20
<u>Mixed Use Development</u> <sup>6</sup>	X	X	X	X	C	P	P
Multiple-family dwellings	X	X	X	<sup>7</sup> X	C <sup>8</sup>	P	P
Municipal parks and playgrounds	X	P	P	P	P	P	P
Museums	X	X	X	X	C	C	C
Neighborhood recreational buildings and facilities owned and managed by the neighborhood homeowners' association	C	C	C	C	C	P	P
Nursing homes	X	X	X	X	C	C	C
Private country clubs and golf courses, excluding driving ranges	X	X	C	C	X	X	X
<u>Privately owned and operated parks and playgrounds and not HOA-owned recreational area</u>	X	C	C	C	C	P	P
<u>Professional offices, included as part of mixed use development and not a home occupation in compliance with Chapter 18.60 of Auburn City Code</u>	X	X	X	X	C	C	C
Religious institutions	C	C	C	C	C	C	C
Renting of rooms, for lodging purposes only, to accommodate not more than two persons in addition to the immediate family	X	X	P	P	X	X	X
<u>Residential care facilities including but not limited to assisted living facilities, convalescent homes, continuing care retirement facilities</u>	X	X	X	X	C	C	C
Single-family detached dwellings, new	P	P	P	P	P <sup>9</sup>	P	X
Supportive housing, subject to the provisions of ACC 18.31.160 (Note: currently ACC 18.18.050.C)	X	X	X	X	X	P	P
<u>Swimming pools, tennis courts and similar outdoor recreation uses only accessory to residential or park uses</u> [Note: some uses similar to accessory residential and others similar to Municipal parks in current code]	P	P	P	P	P	P	P

<sup>6</sup> Individual uses that make up a Mixed Use Development must be permitted within the zone. If a use making up part of a mixed-use development requires a conditional use permit, but mixed-use is Permitted, the individual use must apply for an receive a conditional use approval. [Note: Appears to need clarification. Otherwise, may open zone up to wider variety of uses than anticipated.]

<sup>7</sup> [Note: .]

<sup>8</sup> [Note: .]

<sup>9</sup> [Note: .]



Land Uses	Zoning Designations						
	R-C	RS-1	RS-5	RS-7	RM-10	RM-16	RM-20
Townhouses (attached)	X	X	X	X	P	P	P
Transmitting towers	C	C	X	X	X	X	X
Utility facilities and substations	C	C	C	C	C	C	C

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95 **18.06.030 Residential Zone Development Standards**

96

Standard	RC	RS-1	RS-5	RS-7	RM-10	RM-16	RM-20
Maximum density (units per gross acre)	0.25	1	5	7	10	16	20
Minimum density (units per net acre) <sup>10</sup>	0.25	1	4	5	8	12	15
Minimum average lot area (square feet)	174,240	35,000	8,000	6,000	4,300	2,700	2,175
Minimum lot area (square feet) [Note: need to clarify if this is minimum lot area per structure.]	174,240	35,000	6,000	4,300	2,000	2,000	2,000
Minimum lot width (feet) [Note: staff considering revision to widths in RM-10, RM-16, & RM-20]	125	125	60 <sup>11</sup>	50	50	33	33
Minimum setbacks (feet)							
Residence front yard <sup>12</sup>	35	35		10	10	10	

<sup>10</sup> See ACC 18.51.030 for calculation of net acreage for minimum density.

<sup>11</sup> [Note:]

Standard	RC	RS-1	RS-5	RS-7	RM-10	RM-16	RM-20
[Note: front yard setback policy discussion]			10				10
Garage (minimum setback required from street access) <sup>13</sup> [Note: garage setback policy discussion]	20	20	20	20	20	20	20 unless alley-loaded then 15 provided there is 20 feet from any garage.
Interior Side yard	10	10	5 <sup>14</sup>	5	5	5	5
Street side yard <sup>15</sup>	35	20	10	10	10	10	10
Rear yard <sup>16</sup> [Note: rear yard setback policy discussion for RS-5 and RS-7]	35	35	20	20	20	20	20
Maximum lot coverage (%)	35	35	40	50	60	70	70
Maximum Impervious Area (%)	35	50	65	75	N/A	N/A	N/A
Maximum building height (feet)	35	35	35	35	45	45	50
Minimum front yard landscape strip (feet)	N/A	N/A	5	5	10	10	10
Minimum side yard landscape strip (feet)	N/A	N/A	5	5	10	10	10
Minimum landscaped open	N/A	N/A	N/A	N/A	20	20	20

<sup>12</sup> In all cases, buildings setbacks must comply with intersection sight distance triangles.

<sup>13</sup> In all cases, buildings setbacks must comply with intersection sight distance triangles.

<sup>14</sup> [Note: .]

<sup>15</sup> In all cases, buildings setbacks must comply with intersection sight distance triangles.

<sup>16</sup> In all cases, buildings setbacks must comply with intersection sight distance triangles.

Standard	RC	RS-1	RS-5	RS-7	RM-10	RM-16	RM-20
space (%)							

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# Chapter 18.08 R-MHC Manufactured/Mobile Home Community Zone

Sections:

18.08.010 Intent.

18.08.020 Manufactured/Mobile Home Community Uses.

18.08.030 Manufactured/Mobile Home Community development standards

18.08.040 Supplemental Manufactured/Mobile Home Community development standards.

18.08.050 Special Rezone application submittal requirements.

## 18.08.010 Intent.

A. The intent of the R-MHC manufactured/mobile home community zone is to provide a residential zone of single-family manufactured homes exclusively within a planned park or community. It is further intended that the R-MHC zone shall only be prescribed in those areas that are bordered on, contain physical features, or shall be planned and designed as part of a larger development incorporating other housing types in a manner which limits further expansion into adjacent areas. (Ord. 4229 § 2, 1987.)

## 18.08.020 Manufactured/ Mobile Home Community Zone Uses

[Note: former 18.20.020 and 18.20.030 are combined in this section.]

## Permitted Use Table—Residential Zoning Designations

**P = Permitted C = Conditional Use X = Not Permitted**

Land Use	R-MHC Zone
Manufactured/Mobile home community [Note: staff inquiry about how regulation treats mobile homes. Possible policy discussion.]	P
Residential accessory use	P
Manufactured/Mobile home community accessory use	P
Keeping of not more than four household pets, not including birds, fish, or suckling young of pets	P
Home based daycare	P
Daycare limited to a mini daycare center, daycare center, or preschool / nursery school	C

P = Permitted Use

C = Use may be permitted in district when a conditional use permit has been issued pursuant to the provisions of Chapter 18.56 ACC.

X = Prohibited

Also see ACC 18.02.120 for further rules on interpretation.

### 18.08.030 Manufactured/ Mobile Home Community Zone Development Standards

127 **Manufactured/Mobile Home Community Zone Development**  
 128 **Standards**

Development Standard	R-MHC Zone
Minimum Lot Area (square feet)	217,800 <sup>17</sup> (1)
Minimum lot area per dwelling unit (square feet)	5,200
Minimum Lot Width (feet)	--
Minimum Lot Depth (feet)	--
Maximum Lot Coverage (percent)	--
Minimum Front Yard Setback (feet)	Manufactured Home Park street: 8 Public or other private street: 20
Minimum Interior Side Yard Setback (feet)	Minimum distance between any manufactured home and/or accessory building and the manufactured home and/or accessory building on the adjoining space: 10
Minimum Street Side Yard Setback (feet)	Manufactured Home Park street: 5 Public or other private street: 10
Minimum Rear Setback (feet)	Minimum distance between any manufactured home and/or accessory building and the manufactured home and/or accessory building on the adjoining space: 10 Manufactured Home Park street: 8 Public or other private street: 20
Accessory Structure Setbacks	There shall be a minimum of 10 feet between any two manufactured homes, between any manufactured home and accessory building on adjoining spaces, and between any other accessory buildings on adjoining spaces
Special setbacks for manufactured homes structures that abut another zoning district	Setbacks shall be the same as provided for in the adjoining zone. However, in no case shall the setbacks be less than as prescribed in this subsection,
Maximum Building Height (feet)	Main building: 30 feet, Accessory building: 16 feet
Fences and Hedges	A six-foot high screened fence shall be constructed around the perimeter of the park.  For those park boundaries that abut a public street the fence shall set back 20 feet and the 20-foot setback area landscaped with Type III landscaping (see ACC 18.50 for landscaping type).
Landscaping	see Chapter 18.50 ACC
Parking	see Chapter 18.52 ACC
Signs	see Chapter 18.56 ACC

129 -- = Standard not applied

<sup>17</sup> Minimum site area for development of the manufactured home park or community.

#### **18.08.040 Supplemental development standards.**

Supplemental development standards in an R-MHC district are as follows:

- A. Recreational vehicle storage area: a fenced and screened storage area shall be provided the size of which shall be 300 square feet of area for each 10 homes. The storage area shall not abut property other than that which is zoned R-MHC.
- B. Recreation area: a central recreation area shall be established in each park created pursuant to the provisions of this chapter. The size of the area shall be at least 200 square feet per home site. The recreation area may contain community clubhouses, swimming pools, shuffleboard courts and similar facilities. The director of planning may permit decentralization of the recreation facilities in accordance with principles of good planning; provided, that the total recreation area meets the above stated minimum size.
- C. Space identification: each manufactured home site shall be plainly marked and numbered for identification.
- D. Park office: every park shall provide a permanent building to be used as an office for park management.
- E. Streets: internal private park streets shall be provided in such a pattern as to provide convenient traffic circulation, including fire and other equipment responding to emergencies, within the park. They shall be built to the following standards:
  1. The width of all private park streets shall be not less than 34 feet including curbs. Street widths of 24 feet may be permitted in parks; provided, that adequate off-street parking is provided at the ratio of one off-street parking space for each manufactured home site within the park. The location and placement of the off-street parking spaces will be subject to approval by the director of planning. No on-street parking will be permitted on street widths of less than 34 feet and signs designating "no parking" and "fire lane" must be placed on both sides of the street and so marked on the final plans.
  2. All public streets abutting a park shall be improved in conformance with the City's Design and Construction Standards.
  3. There shall be curbing constructed to City Design and Construction standards on each side of all private park streets.
  4. The private park streets shall be paved in accordance with the City's Design and Construction Standards.
  5. Private park streets shall be lighted in accordance with the City's Design and Construction Standards.
  6. Minimum radii on private park street curves shall not be less than 45 feet.
  - 7.

165 F. Access: each park shall have direct access to a maintained public street. Each park shall have  
166 at least one main access and one emergency access. The city may require more accesses  
167 depending upon the size of the park or other factors that would require the need for additional  
168 accesses. [Note: city staff indicate possible need for more detail or basis for requirement of  
169 more accesses.]

170 G. For those parks that had been approved prior to June 15, 1987, the adoption date of Zoning  
171 Ordinance No. 4229, the placement or replacement of any home shall either be in  
172 conformance with this chapter or the site plan which had been previously approved by the  
173 city. For those parks which do not have an approved site plan the replacement of a home shall  
174 either be consistent with this chapter or the location of the previous home. In no case shall  
175 any applicable fire or building code requirements be lessened.

176 H. Recreational vehicles being used as living units within existing parks shall be allowed to  
177 remain within the park until the recreational vehicle leaves the park for a period which  
178 exceeds 90 consecutive calendar days in any one calendar year. In such case the vacated  
179 recreational vehicle space shall not be reoccupied except by a use permitted by the R-MHC  
180 zone. The park owner shall be responsible for maintaining accurate records to ensure  
181 compliance with this requirement. The records shall be made available to the building official  
182 upon request.

183 The park owner may be allowed to redistribute any existing recreation vehicles within the  
184 park to other existing vacant recreational vehicle spaces within the park, in order to facilitate  
185 the combining of vacant recreational vehicle spaces to be used as manufactured home sites.

186 The city's building official shall inventory the existing recreational vehicles which will  
187 consist of the model, license number or other identification feature of each recreational  
188 vehicle. This shall be the official registration of those recreational vehicles which are allowed  
189 in the park. Any recreational vehicles not identified on the registration list will have to be  
190 removed immediately. (Ord. 4350 § 2, 1989; Ord. 4304 § 1(11), 1988; Ord. 4229 § 2, 1987.)

#### 191 **18.08.050 Rezone application submittal requirements.**

192 A. Any person who wishes to rezone a parcel of property to R-MHC must identify on the  
193 application how the proposed rezone meets the intent of the R-MHC zone.

194 B. A site plan, drawn to scale, shall be submitted with the rezone application and shall illustrate  
195 the following:

- 196 1. Vicinity map;
- 197 2. Acreage of parcel;
- 198 3. Number of homes;
- 199 4. Location of spaces/pads;



- 200 5. Park street layout;
- 201 6. Conceptual utility layout;
- 202 7. Main access;
- 203 8. Emergency access;
- 204 9. Adjacent public streets;
- 205 10. Typical park street cross section;
- 206 11. Easements, existing and proposed;
- 207 12. Location and size of all utilities;
- 208 13. Recreational vehicle storage area;
- 209 14. Recreation area;
- 210 15. Office location;
- 211 16. Fence detail;
- 212 17. Landscape plan;
- 213 18. Typical space/pad showing slab, parking area, setbacks, location of home and any
- 214 accessory buildings.
- 215 C. The site plan shall be properly dimensioned and drawn at a scale not less than one inch equals
- 216 40 feet and on a sheet size of 24 inches by 36 inches, more sheets may be allowed if
- 217 necessary. A reproducible mylar and copies of the site plan as specified in City application
- 218 requirements shall be submitted at time of approval. [Note: Edits to this section are an
- 219 attempt to address city staff comments.]
- 220 D. For those parcels of land that may already have been zoned R-MHC but do not have an
- 221 approved site plan, a site plan shall be prepared in accordance with subsections B and C of
- 222 this section and approved by the planning director, prior to construction permits being issued.
- 223 The decision of the planning director shall be final unless within 20 days, from the date of the
- 224 decision, the applicant appeals the decision to the hearing examiner pursuant to the provisions
- 225 of ACC 18.70.050. (Ord. 4229 § 2, 1987.)
- 226

# 18.25 Infill Residential Development Standards

18.25.010	Purpose	and	Intent
18.25.020	Applicability		
18.25.030	Procedures		
18.25.040	Infill Residential Standards		

## 18.25.010 Purpose and Intent

The purpose of this chapter is to encourage the development of underutilized parcels in zones which, through Auburn Comprehensive Plan goals and policies, have been identified as areas where infill residential development should be encouraged. This chapter identifies conditions under which infill development is supported and relaxes certain development requirements in those instances in an effort to promote the construction of infill development in appropriate areas of the City.

## 18.25.020 Applicability

A. Eligibility Criteria.

This chapter may be applied to parcels created prior to the adoption date of this ordinance which meet all of the following criteria:

1. The parcel is within one of the following zones: RS-5, RS-7, RM-10, RM-16, and RM-20.
2. The parcel is 2 acres or smaller in area.
3. Adjacent properties abutting at least 50 percent of the non-street perimeter of the subject property (i.e., side and/or rear lot lines) are developed with single family dwellings or higher intensity uses.

## 18.25.030 Procedures.

Developments utilizing the infill standards of this Chapter shall be subject to permit type found in Title 14 ACC and shall be processed in a manner consistent with the underlying land use application type pursuant to Title 14 ACC.

## 18.25.040 Infill Residential Standards.

- A. All other provisions of this title that would apply to a non-infill project shall apply to infill development except as specifically modified by this Chapter.
- B. Infill Land Division Standards. Reduction in dimensional requirements for infill residential development.

1  
2 Notwithstanding the dimensional development standard requirements found in the underlying  
3 residential zones of ACC 18.06.030, property that is eligible for infill residential development  
4 pursuant to ACC 18.25.020 shall be eligible for subdivision of land as follows:

- 5 1. Minimum Lot Area. Minimum lot area and minimum average lot area may be permitted  
6 at 80 percent of the minimum areas required in ACC 18.06 for the underlying zone.
- 7 2. Minimum Lot Width. Minimum lot width may be permitted at eighty percent of or ten  
8 feet less than the required minimum lot width of the underlying zone, whichever is less.
- 9 3. Maximum Lot Coverage. Maximum lot coverage can be increased by 10 percent over  
10 that allowed in the underlying zone.  
11

12 C. Infill Development Standards. Property that is eligible for infill residential development  
13 pursuant to ACC 18.25.020 shall be eligible for these additional development standards: to  
14 encourage infill

- 15 1. The maximum density provided for in chapter 18.06 ACC may be increased by up to ten  
16 percent. This density bonus may not be combined with density bonuses provided for  
17 under Chapter 18.49 ACC or Chapter 18.51 ACC.
- 18 2. Increased allowable building height by no more than 9 feet to achieve permitted  
19 maximum density.
- 20 3. Reduced front yard or street side yard setbacks to conform to the average existing  
21 building lines or setbacks of adjoining structures. In no case shall reduced street setbacks  
22 be allowed for a garage or carport.
- 23 4. Alternative setbacks, including reduced side and/or rear setbacks and zero lot line  
24 development. Standard setbacks of the zone shall be applied for any required yard when  
25 the subject yard abuts an RC, RS-1, RS-5, or RS-7 zone.
- 26 5. A ten percent reduction in minimum on-site parking requirements, when on-site parking  
27 is designed to be shared parking. This reduction may be combined with any other  
28 reduction provided for in ACC 18.52.030.  
29

30 D. Infill Design Standards. Property that is eligible for infill residential development pursuant to  
31 ACC 18.25.020 shall adhere to the following design requirements. While creativity and  
32 variation in architectural design is encouraged, the purpose of these requirements is to ensure  
33 compatibility of infill development with the character of nearby existing residential  
34 structures.

35 Residential infill development shall meet the following design criteria, as defined by the  
36 predominant character of the existing residential block face. The block face shall consist of  
37 all residential properties along both sides of the public or private right-of-way on which the

development fronts. The block face shall be measured from intersection to intersection, to the road end, or 200 feet in either direction from the development site, whichever is nearest.

1. Building orientation on infill lots shall match the predominant orientation of other buildings along the block face.

2. Access and location of off-street parking on infill lots shall be similar to the predominant character for existing development along the block face. Primary vehicular access shall be through rear alleys where such rights-of-way exist, and on-site parking shall be located to the rear of proposed structures, insofar as this is consistent with the predominant character of the block face.

3. Proposed residences shall not have a greater number of stories than the tallest residential structure on the block face.

4. Roofs on proposed infill residential structures shall be similar in slope, material, and style to existing development and shall incorporate any or all of the following features, insofar as such features are compatible with existing development on the block face:

- a. Dormers;
- b. Gabled or hipped roofs;
- c. Pitched roofs;
- d. Parapets or cornices.

Unless it is the predominant existing style on the block face, flat, unadorned roofs shall not be allowed.

5. Horizontal façades longer than 25 feet shall be treated to reduce building mass and visual bulk using at least one of the following techniques. The applicant shall demonstrate that the selected techniques are either currently present on the block face or are not substantially incompatible with existing development.

- a. Bays or recesses (minimum depth of 2 feet);
- b. Window patterns;
- c. Contrasting materials or colors;
- d. Upper story setbacks;
- e. Balconies.

## Chapter

18.31

**[Note: Moved from ACC 18.48 and ACC 18.58]**

### SUPPLEMENTAL DEVELOPMENT STANDARDS

Sections:

- 18.31.010 Daycare.
- 18.31.020 Fences.
- 18.31.030 Height limitations – Exceptions.
- 18.31.040 Lots.
- 18.31.050 Single-family dwelling siting and design standards.
- 18.31.060 Recreational vehicle parks.
- 18.31.070 Yards.
- 18.31.080 Heliports.
- 18.31.090 Work release, prerelease and similar facilities.
- 18.31.100 Wireless communications facilities siting standards.
- 18.31.110 Wetland mitigation.
- 18.31.120 Accessory dwelling units.
- 18.31.130 Development standards for panhandle lot access and private access tracts.
- 18.31.140 Gated residential subdivisions.
- 18.31.150 Secure community transition facilities.
- 18.31.160 Supportive Housing Development Standards **[Note: Formerly ACC 18.18.050]**
- 18.31.170 Cottage Housing Development Standards **[Note: new section]**
- 18.31.180 Performance Standards **[Note: formerly ACC 18.58]**

#### 18.31.010 Daycare Performance Standards.

A. The following performance standards shall apply to all child daycares but shall not apply to adult daycare:

1. If applicable, must be properly licensed with the state of Washington;
2. Daycare, preschool and nursery school services shall not be conducted before 5:00 a.m. or after 9:00 p.m. in the following zones: RC, RS-1, RS-5, RS-7.

1 B. The above provisions are not intended to reduce the requirements of any other licensing  
2 agency or department. (Ord. 4705 § 2, 1994; Ord. 4229 § 1, 1987.)

3 **18.31.020 Fences.**A. Height Regulations. The minimum or maximum height requirements as  
4 stipulated throughout this chapter shall be considered to be met if the height of the fence is within  
5 six percent of the height required. The height of the fence shall be determined from the existing,  
6 established grade on the property.

7 1. The following regulations shall apply in the RS-1, RS-5, RS-7, RM-10, RM-16, RM-  
8 20, R-MHC, RO, RO-H, I, LHI, C-N, C-1, LHC1, C-2, and DUC districts:

9 a. Fences may be constructed to a height not to exceed the following in each of the  
10 required setback areas, as regulated per each zone, or as modified by subsection B of this section:

11 Front yard: 42 inches; provided, that fences constructed of chain link, wrought iron  
12 or similar materials that provide visibility may be 72 inches in height;

13 Side yard: 72 inches;

14 Rear yard: 72 inches;

15 Street side yard: 72 inches.

16 2. Fences and walls built within the building area of a lot may be as high as the maximum  
17 building height allowed within the applicable zone district. Building permits are required for  
18 fences exceeding six feet in height.

19  
20 B. Special Height Restrictions.

21 1. There shall not be anything constructed or reconstructed, and no obstruction  
22 permitted to grow, other than a post, column or tree not exceeding one foot square or one foot in  
23 diameter, between a height three feet and 10 feet above the established grade within the sight  
24 distance triangle area required by city of Auburn engineering design standards manual, without  
25 the express approval of the city engineer. Fences located at the corner of intersecting streets shall  
26 comply with the sight distance requirements of the city of Auburn engineering design standards  
27 manual.

28 2. In general, no fence, hedge, structure or other obstruction shall act as a sight hazard to  
29 traffic, and the city engineer may order the removal of such hazard whether or not such object  
30 otherwise complies with the provisions of this title.

31 C. Screened Fence.

32 1. A screened fence shall consist, at a minimum, of a chain link fence interwoven with  
33 slats placed in every row or available space in the fence;

34 2. A 100 percent sight-obscuring fence shall be constructed of solid wood, metal,  
35 concrete or other appropriate material which totally conceals the subject use from adjoining uses.

36  
37 D. Fences and Associated Landscaping.

38 1. When landscaping is required along the property line, the fence shall be set back a  
39 minimum of five feet if the fence abuts a street right-of-way, so as to not obscure such  
40 landscaping; 2. At other property lines the landscaping shall be located to serve the greatest public  
41 benefit.

42 E. Obstructions – Generally Prohibited.

43 1. In no case shall any fence and/or hedge be constructed or grown, within a distance of  
44 three feet, around any fire hydrant; as well as no fence or hedge shall deter or hinder the fire  
45 department from gaining access to any fire department connection, fire protection control valve,  
46 fire hydrant, or fire department appliance or device;

47 2. In no case shall any fence and/or hedge obstruct the visibility of any fire hydrant from  
48 a distance of 150 feet, in any direction, of vehicular approach to the hydrant;

1           3. In no case shall any fence and/or hedge be constructed or grown in a manner which  
2 interferes with access to storm or sanitary sewer manholes and other appurtenances which require  
3 access for maintenance purposes.

4           F. Other than in the P-1, M-1 or M-2 zones, no fence may include the use of barbed wire;  
5 provided, that pasture areas a minimum of one acre in area may be fenced with barbed wire in  
6 any zone. Barbed wire may be attached to the top of and in addition to the height of a 72-inch  
7 fence in the above zones, provided it does not extend more than one additional foot in height.

8           G. Any fence located within a front yard that features a locking gate or similar security device  
9 shall provide emergency access in a manner acceptable to the fire marshal. (Ord. 6071 § 2, 2007;  
10 Ord. 6031 § 3, 2006; Ord. 5398 § 2, 2000; Ord. 5342 § 2, 2000; Ord. 4304 § 1(31), 1988; Ord.  
11 4229 § 2, 1987.)

### 12   18.31.030 Height limitations – Exceptions.

13           The following buildings and/or structures are exempt of the height requirements of this title; in  
14 no case does this lessen any height restrictions that relate to the municipal airport:

15           A. Cupolas, provided they do not extend more than three feet above the roof line;

16           B. Church spires or steeples, provided they conform to elevations as approved under a  
17 conditional use permit;

18           C. Transmission line towers, including telephone line towers and similar types of other line  
19 towers, located within public street rights-of-way, easements, or on private property, and which  
20 are constructed in accordance with other regulations as required by the city;

21           D. Residential television antennas, provided they are used in conjunction with the reception of  
22 commercial television station signals and are not used for transmission purposes;

23           E. Elevated reservoirs, water tanks or standpipes under the jurisdiction of the city or other  
24 water district;

25           F. Athletic field or playground lighting under the jurisdiction of the city or other public  
26 agency. This exemption is limited to the P-1 public use zone only. (Ord. 5342 § 2, 2000; Ord.  
27 4664 § 2, 1994; Ord. 4229 § 2, 1987.)

### 28   18.31.040 Lots.

29           A. All lots shall meet the lot area and width requirements set forth in the applicable use  
30 district, except as follows. For any residentially zoned parcel of land with an area and/or a width  
31 or depth less than that prescribed for a lot in any residential district, the the fact that the parcel of  
32 land does not meet the area and/or width requirements as set forth in this title shall not prohibit  
33 the property from being utilized for single-family residential purposes; provided, that all other  
34 regulations of this title are complied with.

35           1. For single-family homes on substandard lots, the following special provisions for lot  
36 coverage and setbacks may apply:

37               a. Lot Coverage. Lot coverage may be determined by using the following formula:

38               
$$(A/B) * C = D(\%)$$

39               A = Lot area required by zoning code.

40               B = Lot area of existing lot.

41               C = Percentage of lot coverage allowed by zoning code.

42               D = Percentage of lot coverage allowed for the substandard lot.

43               In no case shall the lot coverage exceed 50 percent, unless otherwise allowed by this  
44 title.

45               b. Front and Rear Yard Setbacks. Either the front or rear yard setback may be  
46 determined by using the following formula:

47               
$$(A/B) * C = D$$

48               A = Depth of the existing lot.

- 1       B = Lot depth required by zoning code.  
2       C = Front or rear yard setback required by zoning code.  
3       D = Front or rear yard setback allowed for the substandard lot.

4             In no case shall the front or rear yard setback be less than 10 feet, unless otherwise  
5 allowed by this title.

6             c. Side Yard Setbacks. Side yard setbacks may be determined by using the  
7 following formula:

8                      $(A/B) * C = D$

- 9       A = Width of the existing lot.  
10      B = Lot width required by zoning code.  
11      C = Side yard setback required by zoning code.  
12      D = Side yard setback allowed for the substandard lot.

13             In no case shall the interior side yard setback be less than three feet or the street side  
14 yard setback less than 10 feet, unless otherwise allowed by this title.

15      B. Lots created by the King County assessor's office shall not be considered as building lots or  
16 lots that can be further subdivided unless in accordance with this title and land division ordinance,  
17 except those lots created prior to August 24, 1968, which was the adoption date of the previous  
18 subdivision ordinance, Number 2204. See ACC 18.04.580 for definition of lot of record.

19      C. Lots created by the Pierce County assessor's office shall not be considered as building lots  
20 or lots that can be further subdivided unless in accordance with this title and land division  
21 ordinance, except those lots legally created prior to any land being annexed to the city of Auburn.  
22 (Ord. 5170 § 1, 1998; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.) See ACC 18.04.580 for  
23 definition of lot of record.

#### 24   18.31.050 Single-family dwelling siting and design standards.

25      A. All single-family dwellings (including manufactured homes) located in residential zoning  
26 districts shall meet all of the following criteria:

- 27          1. May not have previously had a title granted to a retail purchaser and may not be a  
28 "used mobile home" as defined by RCW 82.45.032(2), now or hereafter amended.  
29          2. Be built to meet or exceed the standards established by federal law 42 U.S.C. 5401-  
30 5403, now or hereafter amended.  
31          3. Be thermally equivalent or better to that required by the State Energy Code for new  
32 residential structures, now or hereafter amended.  
33          4. Be set on and securely attached to a permanent foundation as specified by the  
34 manufacturer.  
35          5. Proof of title elimination is required prior to building occupancy.  
36          6. Be connected to required utilities that include plumbing, heating and electrical  
37 systems.

38      B. All single-family dwellings (including manufactured homes) shall comply with the  
39 following siting and design standards:

- 40          1. The design and construction of the foundation must meet the requirements of the  
41 International Building Code, now or hereafter amended;  
42          2. The gap from the bottom of the structure to the ground, around the entire perimeter of  
43 the structure, shall be enclosed by concrete or other concrete product as approved by the building  
44 official, which may or may not be load bearing.

45      C. The above requirements do not apply to single-family dwellings sited within the R-MHC,  
46 residential manufactured/ mobile home community zone. (Ord. 6162 § 4, 2008; Ord. 4229 § 2,  
47 1987.)



1 18.31.060 Recreational vehicle parks.

2 A. The following performance standards shall apply to all recreational vehicle parks:

- 3 1. Minimum size of the recreational vehicle park: 100,000 square feet;
- 4 2. Maximum gross density: one recreational vehicle space per each 2,000 square feet of
- 5 land area;
- 6 3. Recreational space: eight percent of the total site area shall be provided as defined
- 7 recreation space. The recreation space shall be easily accessible and shall be improved and
- 8 maintained in such a manner so as to provide adequate recreational facilities for the residents of
- 9 the recreational vehicle park;
- 10 4. Minimum width: each recreational vehicle space shall have a minimum width of 25
- 11 feet;
- 12 5. Interior private streets:
- 13 a. Twelve feet of width per each travel lane and 10 feet of width per each parking
- 14 lane. A minimum of 20 feet shall be provided for one way systems,
- 15 b. The streets shall be improved in accordance with the specifications of the city
- 16 engineer. In addition, all streets shall be well-drained, well-lighted, and continuously maintained
- 17 in operable condition;
- 18 6. Spacing between units: there shall be a minimum side-to-side dimension of 12 feet
- 19 between units and a minimum end-to-end dimension of 10 feet between units;
- 20 7. Minimum setbacks required: the following setback requirements shall apply:
- 21 a. Twenty-five feet from a public street,
- 22 b. Five feet from an interior private street,
- 23 c. Fifteen feet from the park boundary;
- 24 8. Off-street parking: a minimum of one off-street parking space shall be required for
- 25 each recreational vehicle space. It shall be located within the recreational vehicle space. In
- 26 addition, one off-street parking space per each three recreational
- 27 vehicle spaces shall be required for guest parking. The guest parking spaces shall be
- 28 grouped and distributed evenly throughout the park;
- 29 9. Pedestrian walkways: pedestrian walkways having a width of not less than three feet
- 30 shall be provided from the recreational vehicle spaces to all service buildings, and facilities,
- 31 refuse collection area, and recreation areas. The walkways shall be hard-surfaced, well-drained,
- 32 and well-lighted;
- 33 10. Landscaping: see Chapter 18.50 ACC;
- 34 11. Limit of stay: no recreational vehicle shall remain within in a recreational vehicle
- 35 park for more than 120 days in any one-year period;
- 36 12. Solid waste disposal: the storage, collection and disposal of solid waste in
- 37 recreational vehicle parks shall be so conducted as to create no health hazards, rodent harborage,
- 38 insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be
- 39 screened from view except on collection day;
- 40 13. Utilities: the following requirements for utilities shall apply:
- 41 a. A water supply system shall be provided in the recreational vehicle park for each
- 42 recreational vehicle space designed to accommodate the park user occupying a self-contained
- 43 recreational vehicle, the water system for a recreational vehicle park shall be constructed and
- 44 maintained in accordance with all applicable state and local codes and regulations,
- 45 b. Watering stations: each recreational vehicle park shall be provided with one or
- 46 more accessible water supply outlets for filling recreational vehicle water storage tanks,
- 47 c. Sewage disposal system: an adequate and safe sewage disposal system shall be
- 48 provided in a recreational vehicle park for each recreational vehicle space designed to
- 49 accommodate the park user occupying a self-contained vehicle and shall be connected to public

1 sewage system. The sewage disposal system in a recreational vehicle park shall be constructed  
2 and maintained in accordance with all applicable state and local codes and regulations,

3 d. Sanitary stations: each recreational vehicle park shall be provided with sanitary  
4 dumping stations in the ratio of one for every 100 recreational vehicle spaces or fractional part  
5 thereof. The construction of the sanitary station shall be in accordance with the city engineer's  
6 standard detail. Sanitary stations shall be screened from other activities by a visual barrier such as  
7 fences, walls, or natural growth and shall be separated from any recreational vehicle space by a  
8 distance of not less than 50 feet,

9 e. Electrical supply system: each recreational vehicle park shall be provided with  
10 an underground electrical system which shall be installed and maintained in accordance with all  
11 applicable state and local codes and regulations,

12 f. Other utility systems: if other utility systems such as natural gas, television cable,  
13 or telephone are installed in a recreational vehicle park such installation shall be in accordance  
14 with state and local codes and regulations;

15 14. All recreational vehicle spaces shall be well marked and numbered.

16 B. The city engineer shall approve the site plan for all recreational vehicle parks. The site plan  
17 shall contain the following:

18 1. Name of the owner and operator, with address and phone number, and the name of the  
19 proposed recreational vehicle park or campground;

20 2. Legal description of the subject tract of land;

21 3. Name, address and phone number of the person or firm preparing the site plan;

22 4. Scale of the drawing and north arrow;

23 5. The area and dimensions of the tract of land;

24 6. The number, size and location of all recreational vehicle spaces;

25 7. The number, location and size of all off-street automobile parking spaces;

26 8. The location and width of all streets and walkways;

27 9. The location of service buildings, sanitary stations, recreation area and any other  
28 proposed facilities or structures;

29 10. Location of all utility lines and easements;

30 11. Indication of the water supply, sewage disposal, electrical supply, and refuse  
31 collection systems;

32 12. Indication of all buildings, recreation uses, and other facilities to be constructed;

33 13. Landscaping specifications;

34 14. A vicinity map indicating the names and location of all streets within at least a  
35 quarter-mile radius of the subject site;

36 15. Location and specifications of the manager's office and dwelling unit;

37 16. The site plan shall be properly dimensioned and drawn at a scale not less than one  
38 inch equals 40 feet and on a sheet size 24 inches by 36 inches, more sheets may be allowed if  
39 necessary. A reproducible mylar and seven copies of the site plan shall be submitted at the time of  
40 application. (Ord. 4229 § 2, 1987.)

#### 41 18.31.070 Yards.

42 A. The following may project from a building into a required yard setback:

43 1. Fireplace structures, bay windows, garden windows, enclosed stair landings, closets,  
44 framed fireplace shafts, wireless communications facilities or similar projections not wider than  
45 eight feet measured in the general direction of the wall of which it is a part: 18 inches into any  
46 yard;

47 2. Porches and Platforms.

48 a. Uncovered porches and platforms which do not extend above the floor level of  
49 the first floor: 18 inches into side yards and six feet into the front yard and rear yard; provided,

1 that may extend three feet into the side yard when they do not exceed 18 inches in height above  
2 the finished grade;

3 b. Covered but unenclosed porches and platforms which do not extend above the  
4 floor level of the first floor and which are no wider than 50 percent of the building's frontage:  
5 five feet into the front yard;

6 3. Planting boxes or masonry planter not exceeding 42 inches in height may intrude into  
7 any yard;

8 4. Eaves shall not protrude more than 24 inches into any minimum required yard;

9 5. Awnings, canopies, marquees and similar structures designed to primarily protect  
10 pedestrians from the weather elements. They shall be attached to and supported entirely by the  
11 building. The maximum projection shall be seven feet from the building.

12 Subsection (A)(5) of this section is also intended to allow these types of structures to project  
13 over public right-of-way. The maximum projection is still limited to seven feet and must comply  
14 with the International Building Code (IBC) and International Fire Code (IFC), and the  
15 requirements of the city engineer.

16 B. Special Front Yard Depth. If buildings existing on July 6, 1964, occupy 50 percent or more  
17 of the frontage in any block, and are on one side of the street, then the depth of the front yard  
18 required by this title shall be disregarded on that side of the street in such block, and in lieu  
19 thereof the depth of front yard required on each lot therein shall be not less than average depth of  
20 the front yards existing on July 6, 1964. This shall apply to residentially zoned property only.

21 C. Side Yard Width Reductions. In RS-7, RM-10, RM-16, and RM-20 zones, where there  
22 exists a lot or tract of land on which it is possible to construct a single-family dwelling, and the  
23 lot or tract has width of less than 40 feet, then the required side yard width may be reduced to  
24 three feet. The street side yard width may not be reduced.

25 D. Lots with Significant Slopes. To encourage the preservation of natural features on lots with  
26 significant slopes, platted residential lots with an average slope of 15 percent or more may reduce  
27 the front yard setback by up to 20 percent; provided, however, that all structures must comply  
28 with applicable sight distance triangle requirements. This provision shall only apply to lots  
29 developed for a single-family residence but shall not apply to property zoned RC (Residential  
30 Conservancy).

31 For the purposes of this section, the average slope shall be measured by taking the difference  
32 between the average elevations of the rear and the front lot lines. This provision is not intended to  
33 waive any other requirements of geotechnical reports or studies that may be necessary to ensure  
34 the suitability of a lot for development.

35 Development under this provision may also implement the yard exemptions identified in  
36 subsections (A)(1) through (A)(5) of this section. (Ord. 5799 § 1, 2003; Ord. 5020 § 1, 1997; Ord.  
37 4470 § 1, 1990; Ord. 4304 § 1(32), 1988; Ord. 4229 § 2, 1987.)

### 38 18.31.080 Heliports.

39 The following development standards shall apply to all heliports, excluding those developed as  
40 part of the Auburn Airport.

41 A. Meet the Federal Aviation Administration (FAA) requirements;

42 B. Meet the current National Fire Protection Agency 403 requirements;

43 C. Be consistent with the Auburn Airport requirements;

44 D. The size of the landing pad must be one and one-half times the size of the largest helicopter  
45 to use the site;

46 E. The landing pad must be paved, and a source of water available to keep the pad clean,  
47 additional fences and/or screens may also be required to reduce any flying debris;

1 F. The location of the heliport shall be compatible with adjacent uses and should be located  
2 away from schools, and populated areas to include residential, commercial, industrial and other  
3 public use areas;

4 G. Additional requirements may also be assessed with regard to fences, hours of operation,  
5 lighting, setbacks or easements. (Ord. 4283 § 2, 1988.)

#### 6 18.31.090 Work release, prerelease and similar facilities.

7 The following siting and performance standards shall apply to all work release, prerelease and  
8 similar facilities offering alternatives to imprisonment:

9 A. Maximum number of residents: No work release, prerelease or similar facility shall house  
10 more than 50 persons, excluding resident staff.

11 B. Dispersion criteria:

12 1. The lot line of any new or expanding work release, prerelease or similar facility shall  
13 be located:

14 a. 1,000 feet or more from any residential zone; and

15 b. 1,000 feet or more from any group residence facility as defined by ACC  
16 18.04.440; and

17 c. 1,000 feet or more from any accredited public, private or parochial school,  
18 excluding commercial schools such as business, vocational or technical schools; and

19 d. 1,000 feet or more from any religious institution meeting the requirements of a  
20 conforming use and meeting all other requirements of the Auburn City Code; and

21 e. 1,000 feet or more from any public park; and

22 f. 1,000 feet or more from any licensed daycare center, nursery school or preschool  
23 as defined by ACC 18.04.290; and

24 g. One mile or more from any other work release, prerelease or similar facility.

25 2. The distances provided in this subsection shall be measured by following a straight  
26 line, without regard to intervening buildings, from the nearest point of the property parcel upon  
27 which the proposed use is to be located or expanded, to the nearest point of the parcel of property  
28 or the land use district boundary line from which the proposed land use is to be separated.

29 C. Each facility shall provide on-site dining, on-site laundry or laundry service, and on-site  
30 recreation facilities to serve the residents.

31 D. A conditional use permit application for a work release, prerelease or similar facility shall  
32 be accompanied by proposed operating rules for the facility. These proposed rules shall be  
33 reviewed by the planning director in consultation with the chief of police and the city attorney.  
34 The planning director shall include in any recommendation on the requested conditional use  
35 permit an analysis of the proposed rules as they may relate to the findings of fact required under  
36 ACC 18.64.040. (Ord. 4590 § 7 (Exh. F), 1992.)

#### 37 18.31.100 Wireless communications facilities siting standards.

38 The following siting standards are intended to guide the location and development of wireless  
39 communications facilities (WCF) as defined by ACC 18.04.912 but not including microcells. The  
40 siting of microcells shall be in accordance with siting of microcells found in ACC 18.31.102.

41 A. Separation between Facilities.

42 1. New, Freestanding Primary Support Structures.

43 a. The minimum separation, i.e., distance, between a proposed monopole (that is 75  
44 feet or less in height) and any other existing primary support structure, of any height, shall be the  
45 height of the proposed monopole, including antenna, multiplied by a factor of 10.

46 b. The minimum separation, i.e., distance, between a proposed monopole (that is  
47 more than 75 feet in height, or lattice towers of any height) and any other existing primary

1 support structure, of any height, shall be the height of the proposed monopole, including antenna,  
2 multiplied by a factor of 20.

3 2. The distance between primary support structures shall be measured by following a  
4 straight line, without regard to intervening buildings, from the base of one support structure to the  
5 base of the other support structure(s).

6 3. A primary support structure would be considered "existing" if a conditional use permit  
7 or administrative use permit has been issued and is still valid for sites which have not been built  
8 upon.

9 B. Co-Location Requirements.

10 1. For monopoles that are more than 75 feet in height and lattice towers of any height  
11 (Type 3-B facilities), the owner of the property shall execute and provide evidence of a  
12 nonexclusive lease with the carrier that allows for other carriers to place antennas on the  
13 structure.

14 2. Any application for a Type 3-B facility shall include technical justification that an  
15 existing Type 3-B facility with a nonexclusive lease could not be used instead of constructing a  
16 new tower.

17 C. Height.

18 1. Unless otherwise provided for, the height of any primary support structure and/or  
19 antenna shall not exceed the height limitations of the zoning district.

20 2. The maximum height of any primary support structure shall not exceed 120 feet.

21 3. There shall be no variances allowed to the height limitations.

22 4. The carrier shall provide evidence that the Federal Aviation Administration (FAA) has  
23 approved the location of a primary support structure relative to the Auburn Municipal Airport.

24 5. Unless otherwise restricted by this section, building- or structure-mounted antennas  
25 may extend a maximum of 15 feet above the maximum height permitted for structures within the  
26 zone.

27 6. Antennas that are mounted on structures that do not otherwise have a height restriction  
28 may be allowed to increase the overall height of the structure by no more than 10 percent of the  
29 height of the structure unless additional approvals are obtained.

30 D. Setbacks.

31 1. All equipment shelters, cabinets, support structures or other above-ground facilities  
32 shall meet the setback requirements of the zone in which located except as follows. All equipment  
33 shelters, cabinets, or other above-ground facilities used to support primary support structures shall  
34 be set back the same distance required of the primary support structure. All equipment shelters,  
35 cabinets, or other above-ground facilities within a nonresidential zone shall be set back a  
36 minimum of 50 feet from any adjacent R zone.

37 2. The minimum distance from any primary support structure, of any height, to any  
38 residentially zoned parcel of property shall be a distance equal to the overall height of the primary  
39 support structure (including antennas) multiplied by a factor of two.

40 3. Where possible, roof-mounted antennas and equipment shelters and/or cabinets are to  
41 be placed towards the center of the building, or away from public views. Equipment shelters  
42 and/or cabinets shall be screened by a parapet or similar architectural feature.

43 E. Fencing and Landscaping.

44 1. Fencing. Fencing is required to enclose all above-ground support equipment that is  
45 associated with primary support structures. Fencing will be 100 percent sight-obscuring as  
46 defined in ACC 18.31.020(C)(2), if visible from public right-of-way or less intense zoning  
47 district. Equipment shelters and/or cabinets shall be enclosed by fencing a minimum of six feet in  
48 height.

49 2. Landscaping.

1 a. Where above-ground support equipment is visible from public right-of-way, a  
2 minimum width of five feet of Type II landscaping as defined in ACC 18.50.040 will be provided  
3 on the exterior of the enclosing fence in order to effectively screen the equipment from the public  
4 right-of-way.

5 b. Where facilities are visible from adjacent residential uses, a minimum width of  
6 five feet of Type I landscaping as defined in ACC 18.50.040 will be provided on the exterior of  
7 the enclosing fence in order to effectively screen the equipment from the adjacent residential  
8 uses.

9 c. Existing on-site vegetation may be used to meet the landscape requirements if  
10 approved by the planning director.

11 F. Aesthetics.

12 1. In order to minimize any potential, negative aesthetic impacts from new primary  
13 support structures including protecting views to and from residential neighborhoods, mitigation  
14 may be required to blend the facilities in with the adjacent development or environs. Typical  
15 solutions for the support structure might include: an extension of the building, a component of a  
16 sign structure, disguising the facility as a tree, planting of tall trees, moving the location of the  
17 facility, painting or texturing the facility, etc.

18 2. Building- or roof-mounted antennas will be painted or textured to “blend” with the  
19 adjacent surfaces.

20 3. No lettering, symbols, images or trademarks large enough to be legible to occupants of  
21 vehicular traffic on any adjacent street shall be placed on or affixed to any part of the WCF,  
22 unless required by the FCC or FAA.

23 4. Except as specifically required by the FAA (but must be approved by the city),  
24 freestanding primary support structures shall be painted a color that best allows them to blend  
25 into the surroundings. The use of grays, blues and greens might be appropriate; however, each  
26 application shall be evaluated individually.

27 G. Lighting.

28 1. Freestanding support structures shall not be artificially lighted, unless required by the  
29 FAA or other applicable authority. Any proposed lighting shall be submitted at the time of the  
30 initial application. Any lighting must be reviewed and approved by the city.

31 2. Security lighting used to light the equipment facility shall be directed downward,  
32 shielded and kept within the boundaries of the site.

33 H. Abandoned Facilities.

34 1. Any WCF which is not utilized for a period of nine months or more will be considered  
35 abandoned.

36 2. Any WCF which falls into a state of disrepair as determined by the planning director  
37 will be considered abandoned.

38 3. Any WCF considered to be abandoned must be removed completely within 90 days  
39 from the date of notification by the city’s code enforcement personnel. The code enforcement  
40 personnel may extend the 90-day period should a valid application for use of the facility be  
41 submitted to the city.

42 I. Noise. For the purposes of this section, WCF will be considered a Class B, commercial,  
43 noise source pursuant to WAC 173-60-040.

44 J. Supplemental Information Required for Applications. In addition to the information that is  
45 otherwise required for an application for a permit for a WCF, the following is also required:

46 1. For a new primary support structure and related equipment, the applicant shall provide  
47 the carrier’s master network plan for the city showing the carrier’s existing WCF locations and  
48 narrative explaining the potential WCF locations over the next year, if known. The applicant shall  
49 also provide technical justification supporting the need for the height of the primary support  
50 structure and why a shorter support structure could not be utilized. Any application for a Type 3-

B facility shall provide technical justification as to why a Type 3-A facility could not be utilized instead to adequately serve the Auburn community.

2. Narrative description of the facility including whether there is capacity of the proposed structure for more antennas, methods for minimizing visual impacts of the facilities, etc.

3. A color swatch for the proposed primary support structure.

4. Photographs or similar illustrations that show a reasonable likeness of the proposed facility including the antenna arrays and above-ground support equipment.

K. Zoning Districts in Which WCF Are Permitted. The following table illustrates which zoning districts the types of facilities, as defined by ACC 18.04.912(J), are allowed in and which permits are required. Microcells, as defined by ACC 18.04.912(G), are allowed only in residential zones and shall be permitted outright pursuant to the provisions of ACC 18.04.912(G).

Zoning District	Type of Permit Required		
	Permitted Outright	Administrative Permit	Use Conditional Permit
All Zones	1-D	1-D <sup>1</sup>	1-D <sup>2</sup>
RO-H	1-A	1-B	1-C
C-N	1-A	1-B	1-C
C-1, LHC1	1-A	1-B	1-C
C-2, DUC	1-A	1-B	1-C
C-3	1-B, 2-A	1-C, 2-B, 3-A	3-B
M-1, EP	1-B, 2-A	1-C, 2-B, 3-A	3-B
M-2	1-B, 2-A	1-C, 2-B, 3-A	3-B
P-1, LHP1	1-B, 2-A	1-C, 2-B	3-A <sup>3</sup>
I, LHI	1-A	1-B	1-C
LF	1-A	1-B	1-C

<sup>1</sup>Allowance for the WCF to extend to a height of 20 percent of the supporting structure.

<sup>2</sup>Allowance for the WCF to extend to a height of 30 percent of the supporting structure.

<sup>3</sup>The maximum height allowed, including antennas, is 45 feet.

#### L. Exemptions.

1. Unless otherwise provided for, the following are exempt from the provisions of this section:

a. Microcells as defined by ACC 18.04.912(G).

b. Mobile testing facilities/equipment used to test network limitations. The facilities/equipment shall not be at any one location for more than 14 days and shall otherwise meet the requirements of any other ordinance, regulation or code provision.

2. The following is exempt from the provisions of subsection A of this section, Separation between Facilities:

a. Emergency communication systems operated by a local public agency responsible for providing emergency services. (Ord. 6071 § 3, 2007; Ord. 6036 § 2, 2006; Ord. 5645 § 1, 2002; Ord. 5342 § 2, 2000; Ord. 5020 § 1, 1997.)

1 18.31.102 Siting of Microcells

2 [Editor's Note: siting criteria moved from ACC 18.04.912.]

3 The following siting standards are intended to guide the location and development of microcells  
4 as defined by ACC 18.04.912 but not including wireless communications facilities (WCF). The  
5 siting of wireless communications facilities shall be in accordance with siting of wireless  
6 communication facilities found in ACC 18.31.100.

7 A. Siting criteria for microcells:

- 8 1. Panel antennas shall be incorporated into the design of the existing structure  
9 using painting, flush mounting or other concealment methods.
- 10 2. The equipment cabinets and other ground support equipment shall be located in  
11 an area that is no larger than 16 square feet. The height of the equipment shall be  
12 no more than four feet. The equipment shall be designed to be compatible with  
13 the residential neighborhood and shall provide landscaping or fencing or a  
14 combination of these or similar features.
- 15 3. There shall be a 300-foot separation between any microcells.
- 16 4. The antennas must be located on light poles, power poles or similar public utility  
17 poles that are either owned/operated by the city of Auburn or owned/operated by  
18 an utility provider operating with an appropriate franchise. Other similar utility  
19 poles may be used if approved by the city engineer. The equipment cabinets may  
20 either be located within the street right-of-way in areas typically set aside for  
21 utilities such as power and cable TV or on private property.
- 22 5. Anyone wishing to establish a microcell shall make application to the city  
23 engineer upon application forms provided by the city engineer. The city engineer  
24 shall review each application and may be empowered to approve, deny or modify  
25 the proposal.

26  
27 18.31.110 Wetland mitigation.

28 The following siting criteria shall apply to all wetland mitigation site construction within the  
29 city of Auburn, the purpose of which is to mitigate the impacts of a project that is not located  
30 within the city of Auburn. Off-site wetland mitigation construction that is associated with a  
31 project that is located within the city of Auburn shall be reviewed concurrently with that proposal  
32 and will not be subject to the following:

33 A. Definitions.

34 1. "Wetland mitigation site construction," for the purposes of this section, means the  
35 construction of new wetlands on existing nonwetland property and/or the enhancement of existing  
36 wetlands.

37 B. Siting Criteria. Wetland mitigation site construction may be allowed within any zoning  
38 district within the city of Auburn subject to all of the following criteria. At a minimum the



1 proponent of wetland mitigation site construction shall apply for and receive from the city of  
2 Auburn a grading permit before said construction begins.

3 1. The wetland mitigation site must be linked to and be compatible with a comparable  
4 naturally occurring ecosystem, e.g., another wetland, river, stream, etc. The constructed wetland  
5 mitigation site cannot be an isolated mitigation site.

6 2. Only a public agency may propose a wetland mitigation site pursuant to this section.  
7 Before starting construction the public agency proposing the wetland construction must have an  
8 approved budget that has sufficient financial capability to construct the wetland mitigation  
9 project. The public agency must also provide the city a written commitment to complete the  
10 project, to the city's satisfaction, once construction starts.

11 3. The project, outside of Auburn, that is creating the need for the wetland mitigation  
12 shall be a public project of a regional or statewide significance and shall be a benefit to the  
13 general public. The proponent shall demonstrate to the city's satisfaction that it is impractical to  
14 mitigate wetland impacts in the jurisdiction and/or drainage basin where the wetland impact  
15 occurs.

16 4. There must not be a loss of buildable upland property such that it would be a financial  
17 burden to other properties in the area, or the city, with regard to funding capital improvement  
18 projects. This would include, but not be limited to, the participation or potential participation in  
19 local improvement districts (LIDs), the financial participation in city of Auburn capital  
20 improvement projects, or system development charges. Financial contributions may be used to off  
21 set the loss of the financial participation and shall require a separate legal binding contract to be  
22 executed between the city and the public agency.

23 5. There must not be a loss of buildable upland property that would diminish the city's ability  
24 to meet its responsibilities with regard to the Growth Management Act or comprehensive plan.  
25 (Ord. 5128 § 1, 1999.)

## 26 18.31.120 Accessory dwelling units.

27 Accessory dwelling units are permitted outright in all residential zoning districts, that permit  
28 single-family homes, and may be developed with new or existing single-family homes. The  
29 development standards of the underlying zoning district and the following siting and performance  
30 standards shall apply to all accessory dwelling units as defined by ACC 18.04.018.

31 A. The home or accessory dwelling unit must be the principal place of residence for the  
32 homeowner.

33 B. Only one accessory dwelling unit may be permitted per single-family residence.

34 C. An accessory dwelling unit shall not be larger than 50 percent of the square footage of the  
35 single-family home with garage space not being included in the calculation. In no case shall the  
36 accessory dwelling unit be more than 950 square feet, nor less than 300 square feet, nor have  
37 more than two bedrooms.

38 D. Exterior Appearance/Modifications.

39 1. Any alterations shall not change the appearance from that of a single-family residence,  
40 as determined by the planning director.

41 2. Only one exterior entrance is allowed to the accessory dwelling unit and it can be  
42 located no closer than 10 feet to an adjoining property line.

43 3. Any exterior stairs shall be placed in the rear or side yard and are no closer than 10 feet  
44 to an adjoining property line.

45 4. Where garage space is converted to living space the garage door shall be replaced with  
46 materials that match the exterior of the house. If a detached garage is converted its appearance  
47 must still be that of a detached garage and the detached garage must be able to be used for  
48 parking of at least one vehicle.

49 E. Parking Requirements.

1. The parking required for the existing single-family home must meet all requirements of the zoning code including amount, size and setback requirements in order for an accessory dwelling unit to be allowed.

2. One additional parking space, beyond those required for the single-family home, is required for an accessory dwelling unit. The additional parking space must also meet all requirements of the zoning code.

3. Newly created parking shall make use of existing curb cuts, when possible.

F. An accessory dwelling unit may not be sold as a separate piece of property, or as a condominium unit, unless allowed by the existing zoning on the property.

G. Any homeowner seeking to establish an accessory dwelling unit shall apply for approval in accordance with the following procedures:

1. The homeowner shall apply for an accessory dwelling unit permit with the building division. A complete application shall include a properly completed application form, floor and structural plans, fees and an affidavit of owner residency. The affidavit of owner residency must be signed before a notary public affirming that the owner meets the requirements of subsections A through E of this section.

2. Before issuance of the accessory dwelling unit permit, the homeowner must provide a copy of a statement recorded with the county records and elections office. The statement must read:

A permit for an accessory dwelling unit has been issued, by the city of Auburn, to the owner of this property. Future owners are advised that the owner of the property must comply with all requirements of the Auburn Zoning Code, as amended, if the accessory dwelling unit is to be occupied or rented.

H. If an accessory dwelling unit is to be removed, appropriate permits and inspections must first be received from the Auburn building division. If a homeowner wants to remove the statement as required by subsection (G)(2) of this section, from the property's title, then the city shall issue an appropriate release upon evidence that the accessory dwelling unit has been removed. The release shall be recorded, by the homeowner, with the county records and elections office and a copy of the recorded release shall be provided to the Auburn building division. (Ord. 5399 § 1, 2000.)

[Editor's Note: ACC 18.31.130 moved to 17.10.120.]

#### 18.31.140 Gated residential subdivisions.

The street(s) within a residential subdivision may be allowed to be gated pursuant to the following:

A. Gated streets cannot adversely affect the automobile or pedestrian traffic of an existing or future neighborhood. This will be determined by (1) the use of gated streets would not cause discontinuity in the existing or proposed public street system (i.e., street layout) including pedestrian traffic, (2) the use of gated streets cannot preclude public street access to other properties, and (3) the use of gated streets would not distribute an unacceptable amount of traffic through an existing or future neighborhood than would otherwise result if through public streets were used.

B. Gated residential subdivisions of more than four lots can only be permitted as part of the plat process pursuant to Chapter 17.10 ACC. Existing plats, proposed to be gated, must go through a plat alteration process pursuant to Chapter 17.20 ACC as well as meet all the

1 requirements of this section. Short plats, proposed or existing, need only meet the requirements of  
2 subsection F of this section in order to be gated if a private street serves all lots.

3 C. The gated streets are to be privately owned and maintained. The private streets must  
4 however meet the same design, construction, and public facility extension standards required of  
5 public streets, including approval of the construction by the city.

6 Private streets are only allowed to serve more than six lots if part of a gated residential  
7 subdivision.

8 D. A legally incorporated property owners' association must be established and assume the  
9 responsibility and cost to repair and maintain the proposed private street(s) and gate(s). The  
10 property owners must also agree to maintain a policy of liability insurance in a minimum amount  
11 of \$1,000,000 of which the city is named as insured to protect the city from any claims that may  
12 result from the property owners' utilization of a gated roadway, including but not limited to  
13 malfunctions of the gate.

14 If the association fails to maintain the street(s) the by-laws of the association must give the city  
15 the right to maintain the street(s) and charge the cost of the maintenance, including any  
16 administrative costs, to the association members.

17 The by-laws establishing the association must state that if future owners should request the  
18 private street(s) be changed to public then the owners fully agree that, before the acceptance of  
19 such streets by the city, the owners will bear the full expense of reconstruction or any other action  
20 necessary to make the streets substantially consistent with the requirements of public streets,  
21 applicable at the time.

22 If at any time the private streets are converted to public streets then the gate(s) shall be  
23 removed.

24 E. At the time of application for a preliminary plat or plat alteration the applicant shall address  
25 and provide evidence that those items as required in subsections A, B, C, D, and F of this section  
26 have been fulfilled. A preliminary plat or plat alteration shall not be approved unless it is found to  
27 meet the requirements of this section.

28 F. Design Standards for All Entry Gates to Residential Developments Including Residential  
29 Subdivisions, Apartment Complexes, Condominiums, and Mobile Home Parks.

30 1. A vehicle turnaround, turnout or similar mechanism shall be provided in front of the  
31 gate. The entrance to the proposed gate shall be designed and stamped by a licensed registered  
32 traffic engineer and shall allow for a safe turnaround for vehicles in front of the gate in cases  
33 where the vehicle is denied entry. The design for the gated entrance shall consider the abutting  
34 public roadway alignment and grade, sight distance, posted speeds and other traffic engineering  
35 criteria relevant to designing the particular gated entrance. The proposal shall be reviewed for  
36 approval by the city engineer.

37 2. Gate construction shall be of wrought iron or similar material approved by the  
38 planning director and be constructed in such a manner to allow for viewing of obstructions  
39 located within the swing path of the gate. The swing path of the gate shall be away from or  
40 parallel with the vehicle approaching the gate. The gate and accessory equipment shall be coated  
41 to prevent corrosion.

42 3. If the entry gate(s) obstructs access to solid waste collection, public water, sewer, or  
43 storm water utilities owned and maintained by the city, then a property owner or homeowners'  
44 association will be responsible for assuring that 24-hour access is provided to the city. The city's  
45 public works director shall determine a specified number of activation keys, activation devices or  
46 receive the access code to the gate which shall be distributed to the appropriate city departments.  
47 If the access method to the gate is subsequently modified then the property owner or  
48 homeowners' association shall notify the public works director and again provide to the public  
49 works director a specified number of activation keys, activation devices or the access code to the  
50 gate which shall be distributed to the appropriate city departments.

1 4. Emergency Access Provisions. Gates shall have rapid entry key capabilities as  
2 approved by the fire marshal. The gate shall provide for 20 feet of clear passage for emergency  
3 access with a minimum clear height of not less than 16 feet 6 inches in accordance with WSDOT  
4 Design Manual Section 1120.04 "Bridge Site Design Elements" paragraph 5(a)1. Electrically  
5 operated gates shall have the capability to automatically default to the unlocked (open) position in  
6 the event of a power outage. (Ord. 5557 § 1, 2001.)

#### 7 18.31.150 Secure community transition facilities.

8 The following siting and performance standards shall apply to all secure community transition  
9 facilities (SCTFs) as defined in RCW 71.09.020:

10 A. Maximum Number of Residents. No SCTF shall house more than 15 persons, excluding  
11 resident staff.

12 B. Siting Criteria. As an essential public facility of regional or statewide importance, any  
13 SCTF shall be sited consistent with the essential public facilities process in the Auburn  
14 comprehensive plan and shall be located in the region serving area of Auburn, as defined and  
15 mapped in the Auburn comprehensive plan. This area is generally west of "A" Street Southwest  
16 and Auburn Way, excluding the downtown planning area. Such facilities should be located in  
17 relationship to transportation facilities in a manner appropriate to their transportation needs.  
18 Extensive buffering from adjacent uses may be required.

19 C. Dispersion Criteria.

20 1. The lot line of any new or expanding SCTF shall be located:

21 a. One thousand feet or more from any residential use; and

22 b. One thousand feet or more from any group residence facility as defined by ACC  
23 18.04.440; and

24 c. Not adjacent to a parcel containing nor within the line of sight of any of the  
25 following:

26 i. Any accredited public, private or parochial school;

27 ii. Any religious institution in existence as of the effective date of the  
28 ordinance codified in this section;

29 iii. Any public park, publicly dedicated trail, sports field, playground, or  
30 recreational or community center;

31 iv. Any licensed daycare center, nursery school or preschool as defined by  
32 ACC 18.04.290;

33 v. Any school bus stop in existence at the time the facility is proposed;

34 vi. Any public library; and

35 vii. Any other facilities as identified by the State of Washington Department of  
36 Social and Health Services following the hearings on a potential site as required in RCW  
37 71.09.315;

38 d. One mile or more from any work release, prerelease or similar facility.

39 2. The distances provided in this subsection shall be measured by following a straight  
40 line, without regard to intervening buildings, from the nearest point of the property parcel upon  
41 which the proposed use is to be located or expanded to the nearest point of the parcel of property  
42 or the land use district boundary line from which the proposed land use is to be separated.

43 3. The "adjacent to a parcel containing nor within the line of sight" criterion is a minimal  
44 guideline established to minimize the access between an SCTF and a "risk potential activity" as  
45 defined in RCW 71.09.020. That criterion may be altered depending on topographic conditions,  
46 size of parcels, or substantial intervening barriers to access (e.g., a river).

47 D. A conditional use permit application for an SCTF shall be accompanied by the following:

48 1. The siting process used for the SCTF, including alternative locations considered;

2. An analysis showing that utmost consideration was given to potential sites such that siting of the facility will have no undue impact on any one racial, cultural, or socio-economic group, and that there will not be a resulting concentration of similar facilities in a particular neighborhood, community, jurisdiction, or region;

3. Proposed mitigation measures;

4. A detailed plan that demonstrates how security for the facility and the residents will be addressed, and how the security plans will be coordinated with local emergency personnel;

5. A detailed plan on how the proposed operating rules for the facility will be developed and coordinated with local emergency personnel;

6. A schedule and analysis of all public input solicited or to be solicited during the siting process, including assurance that comments are reviewed and adequately responded to; and

7. A preliminary landscaping plan that shows how the proposal intends to meet the requirements of the zone in which it is located, in order to comply with state regulations for siting an SCTF and in order to provide appropriate visual separation between the SCTF and neighboring land uses such that impacts to residents of an SCTF by neighboring manufacturing uses are mitigated.

These proposed materials shall be reviewed by the planning director in consultation with the chief of police and the city attorney. The planning director shall include in any recommendation on the requested conditional use permit an analysis of the proposal as they may relate to the findings of fact required under ACC 18.64.040. (Ord. 5690 § 4, 2002.)

#### 18.31.160 Supportive Housing Development Standards

[Editor's Note: Moved from 18.08.050C]

A. Supportive housing projects allowed pursuant to ACC 18.06.020 shall comply with the following standards:

1. Minimum lot area per unit: 1,200 square feet

2. For lots with an area of up to one acre, the maximum number of units allowed is 25; for lots with an area greater than one acre, the maximum number of units allowed is 50.

2. Maximum lot size: 2.0 acres.

3. Minimum separation from other supportive housing projects: five miles.

4. Maximum unit size: 450 square feet (on-site manager unit excepted).

5. Shall provide an on-site resident manager who is accountable to the owner or manager of the supportive housing project.

6. Appropriate off-site support services shall be available within 1,000 feet. Off-site support services shall provide residents with case management services, medication monitoring, help with vocational training and goals, access to chemical dependency services, assistance with activities of daily living, etc.

7. Registered sex offenders shall not be allowed to reside within supportive housing projects located within 880 feet of a school, church, daycare facility or public park.

- 1 8. A written management plan shall be provided for the review and approval of the director.  
2 At a minimum, a management plan shall address the following:
- 3 a. The specific nature of the supportive housing project and its intended occupants;  
4 b. Its potential impact on nearby residential uses and proposed methods to mitigate  
5 those impacts;  
6 c. Identification of the project management or agency to whom support staff are  
7 responsible and who will be available to resolve concerns pertaining to the facility;  
8 d. Identification of staffing, supervision and security arrangements appropriate to the  
9 facility;  
10 e. If the director determines at any time there is evidence of fraud in obtaining the  
11 permit; concealment or misrepresentation of any material fact on the application or  
12 on any subsequent applications or reports; or that the supportive housing project is  
13 found to be in violation of the approved plans, conditions of approvals, or the terms  
14 of the permit or management plan, and the owner has failed to correct the violation  
15 after proper notice thereof; then the director may order the closure of the project.
- 16 9. If a supportive housing project is discontinued or abandoned, future use of the property  
17 shall be in conformance with the use and development standards of the RM-20zone.  
18 (Ord. 6167 § 3, 2008; Ord. 4229 § 2, 1987.)

## 19 20 **18.31.170 Cottage Housing Development Standards**

### 21 **A. Purpose and intent.**

22 The general purposes of the cottage housing development design standards are as  
23 follows:

24 1. A cottage housing development is an alternative type of detached housing providing  
25 small residences for households of typically one to two individuals. Cottage housing is  
26 provided as part of the city's overall housing strategy which intends to encourage  
27 affordability, innovation and variety in housing design and site development while  
28 ensuring compatibility with existing neighborhoods, and to promote a variety of housing  
29 choices to meet the needs of a population diverse in age, income, household composition  
30 and individual needs.

31 2. The cottage housing development design standards contained in this section are  
32 intended to create a small community of cottages oriented around open space that is  
33 pedestrian-friendly and minimizes the visibility of off-street parking. These design  
34 standards are intended to ensure that cottage housing developments include pedestrian  
35 amenities and take advantage of existing natural features on the site including topography  
36 and vegetation. The cottage housing development design standards are intended to  
37 maintain traditional cottage amenities and proportions and ensure that cottage housing  
38 developments contribute to the overall community character.

3. Cottage housing may allow higher residential density than is normally allowed in the underlying zone district. This increased density is possible through the use of smaller than average home sizes, clustered parking, and site design standards.

4. All cottage housing developments are subject to current city stormwater standards and shall incorporate stormwater low impact development techniques whenever possible.

B. Density, number of cottage housing units and minimum lot area.

A. In cottage housing developments the permitted densities shall be as follows:

Zoning District	RS-5 Single Family Residential	RS-7 Single Family Residential	RM-10 Multi-Family Residential	RM-16 Multi-Family Residential	RM-20 Multi-family Residential
Maximum Cottage Density	1 cottage dwelling unit per 5,000 sf	1 cottage dwelling unit per 4,200 sf	1 cottage dwelling unit per 3,500 sf	1 cottage dwelling unit per 2,700 sf	1 cottage dwelling unit per 2,200 sf
Minimum number of cottages per cottage housing development	4	4	4	4	4
Maximum number of cottages per cottage housing development	8	10	12	14	16
Minimum lot size (accommodates 4 cottages)	20,000 sf	16,000 sf	14,000 sf	12,000 sf	10,000 sf

Existing nonconforming structures and accessory dwelling units.

A. On a lot to be used for a cottage housing development, an existing detached single-family residential structure, which may be nonconforming with respect to the standards of this chapter, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.

1. Nonconforming dwelling units may be modified to be more consistent with this chapter.

B. New accessory dwelling units (ADUs) are not permitted in cottage housing developments. All residential units in a cottage housing development count towards the maximum permitted density. An existing attached or detached ADU that is accessory to an existing nonconforming single-family structure may be counted as a cottage unit if the property is developed subject to the provisions of this chapter.

### **Building height.**

A. Objective. Structures in cottage housing developments shall be designed to be single story or single story plus a loft. Because the base density is higher and building separation less than on typical residential lots, it is important to maintain a feeling of adequate light and open space by providing more restrictive maximum roof heights and roof proportion standards.

1. The maximum building height permitted for structures in cottage housing developments shall be 18 feet.

2. The highest point of a pitched roof may extend up to 23 feet.

### **Exterior trim and roof eaves.**

A. Objective. Cottage housing development structures shall be provided with substantial exterior trim elements consistent with traditional northwest cottage design and

1 small home craftsmanship. Roofs in cottage housing developments shall have eaves to  
2 recognize traditional northwest cottage design traits to efficiently shed rain, and provide  
3 rain protection for exterior walls. Alternative exterior trim and eave designs shall  
4 demonstrate a coherent cottage housing design based upon traditional design principles  
5 including weather protection.

6 1. Window and door trim with a minimum width of three and one-half inches shall  
7 be provided on all cottage housing developments structures.

8 2. Eaves of at least 12 inches shall be provided on all cottage structures on at least  
9 two sides of each building. Where buildings are not square (one set of exterior parallel  
10 walls are longer than the other), the eaves shall be provided on the parallel walls that are  
11 the longest.

## 12 **Covered main entry porches.**

13 A. Objective. All residences in cottage housing developments shall be provided with a  
14 covered main entry porch to create a private outdoor space protected from the weather  
15 and provide a transition from the interior private residential space to the semi-private  
16 outdoor space. Covered porches shall be usable both in design and dimension.

17 1. Cottage homes shall have a covered main entry porch with a floor area measuring  
18 at least 60 square feet in size.

19 2. The floor of the covered main entry porch shall have minimum dimensions of not  
20 less than five feet in any direction (length or width).

## 21 **Street facing facades.**

22 A. Objective. The street facing facades of cottages in a cottage housing development  
23 will contribute to the neighborhood by including attractive design details such as  
24 windows, changes in materials, and views of front doors or porches. The main entries of  
25 some cottages will be visible from the adjacent streets to provide a visual pedestrian  
26 connection with the surrounding neighborhood.

27 1. All cottages shall have street facing facades that avoid blank walls or appear to  
28 “turn their backs” to the street. All cottages shall include one or more of the following  
29 on-street facing facades:

30 a. Changes in exterior siding material and paint color;

31 b. Windows which may include bay windows; and/or

32 c. Building modulation with a depth measuring at least one foot.

33 2. At least one cottage shall have its front main entry door and/or front porches  
34 visible from each street frontage.

## 35 **Lot coverage area.**

36 A. Objective. Cottage housing developments shall not exceed underlying lot coverage  
37 standards for the respective zoning district to maintain residential neighborhood character  
38 and the balance of built structures to open spaces.

39 1. The maximum lot coverage permitted for all structures in cottage housing  
40 developments shall not exceed the requirements for the underlying zoning district  
41 contained in Chapter 18.06 ACC.



1 **Cottage floor area.**

2 A. Objective. Structures in cottage housing developments shall be designed to be  
3 single story or single story plus a loft. Residences in cottage housing developments are  
4 primarily intended for one- and two-person households and their occasional guests.  
5 Maintaining the maximum square footage of residences in cottage housing developments  
6 is necessary to prevent overbuilding of the site and to not exceed available off-street  
7 parking.

8 1. The maximum ground floor area for an individual principal structure in a cottage  
9 housing development shall be as follows:

10 a. For at least 50 percent of the units, the ground floor area may not exceed 800  
11 square feet.

12 b. For no more than 50 percent of the units, the ground floor area may be up to  
13 1,000 square feet.

14 c. The net total floor area of each cottage shall not exceed one and one-half times  
15 the area of the main level.

16 **Building setbacks from exterior lot lines.**

17 A. Objective. Exterior lot line building setbacks in cottage housing developments are  
18 based upon the allowed density of cottage housing as well as the small size of the  
19 structures.

20 1. Front yard and street side yard on corner lots shall be 10 feet:

21 a. Exception: The director in consultation with the City Engineer may authorize  
22 setback averaging from the public right-of-way. In such cases the setback average shall  
23 be 10 feet and at no point less than five feet where the location of all structures,  
24 landscaping and other improvements will not conflict with future improvements in the  
25 right-of-way.

26 2. Rear Yard Building Setback. The minimum rear yard shall be 10 feet, unless  
27 abutting an alley, then the minimum setback shall be five feet.

28 3. Side Yard Building Setback – Interior Lot Lines. The minimum side yard setback  
29 shall be five feet for interior lot lines.

30 **Cottage housing development building separation.**

31 A. Objective. Structures within cottage housing developments shall observe minimum  
32 setbacks from other cottage housing development structures to avoid overcrowding the  
33 site and to maintain a sense of privacy within the cottages themselves.

34 1. All buildings within a cottage housing development shall maintain a minimum  
35 separation of 10 feet from cottages within a cottage housing development measured from  
36 the nearest point of the exterior walls. Accessory buildings shall comply with building  
37 code requirements for separation from noncottage structures.

38 **Common open space.**

39 A. Objective. Open space that is commonly owned by all members of a cottage  
40 housing development is an important feature of any site design. It is intended that the  
41 open space be adequately sized and centrally located with individual cottage entrances  
42 oriented towards the open space.

1           1. Common Open Space. A minimum of 360 square feet per cottage unit of  
2 common open space is required. For the purposes of cottage housing, “common open  
3 space” shall be the central space that may be used by all occupants of the cottage  
4 complex. Parking areas, yard setbacks, spaces between buildings of 10 feet or less in  
5 width, private open space, and driveways do not qualify as common open space.

6           2. Proximity to Common Open Space.

- 7           a. At least 50 percent of the cottage units shall abut a common open space.  
8           b. The common open space shall have cottages abutting at least two sides.  
9           c. All of the cottage units shall be within 75 feet walking distance measured from  
10 the nearest entrance of the cottage along the shortest safe walking route to the nearest  
11 point of the common open space; shorter distances are encouraged.

12 **Private open space.**

13           A. Objective. Each residential unit in a cottage housing development shall be provided  
14 an area of private open space. The private open space shall separate the main entrance to  
15 the cottage from the common open space to create a sense of privacy and shall be  
16 oriented to take advantage of solar orientation and other natural features to create a small  
17 but pleasant private yard area. The private open space may be separated from the  
18 common open space with a small hedge, picket fence, or other similar visual separation to  
19 create a sense of separate ownership.

20           1. Each cottage unit shall be provided with a minimum of 200 square feet of usable  
21 private open space separated from the common open space by a hedge or fence not to  
22 exceed 36 inches in height.

23           2. No dimension of the private open space shall be less than eight feet.

24 **Tree conservation.**

25           A. Objective. Cottage housing developments shall be designed to incorporate existing  
26 trees to the extent possible. New trees shall be located to create amenities in the common  
27 open space, private open space, provide shade where appropriate, to create separation  
28 between buildings when desired, and to screen and soften the perimeter of parking areas  
29 and street facing sides of cottage housing developments.

30           1. Preservation of existing trees, and/or new trees, shall be provided consistent with  
31 Chapter 18.50 ACC. Native trees and other vegetation shall be preserved to the extent  
32 possible and the overall site design shall take advantage of the location of existing trees.

33 **Stormwater low impact development techniques.**

34           A. Objective. Cottage housing developments shall be designed to take advantage of  
35 open space and landscaped features to utilize stormwater low impact development  
36 techniques including natural filtration and on-site infiltration of stormwater.

37           1. Low impact development techniques for stormwater management shall be used  
38 wherever possible. Such techniques may include the use of pervious pavers in parking  
39 areas and for walkways, directing roof drains and parking lot runoff to landscape beds,  
40 green or living roofs, and the use of rain barrels.

41 **Off-street parking.**

42           Off-street parking shall be located and designed to be less visible from frontage streets  
43 than the cottages themselves. Off-street parking shall be designed to maintain a

1 pedestrian character for the overall cottage housing development. Clustering parking to  
2 the side or rear of a cottage project will most often best accomplish these goals. Parking  
3 areas shall be attractively landscaped to screen parking from adjacent properties and  
4 street rights-of-way and shall meet applicable parking lot landscape standards.

5 1. Off-Street Parking Location. Parking shall be located on the cottage housing  
6 development property. Off-street parking lots shall be located to the side or rear of the  
7 cottage housing development (see illustrations below). Parking lots shall not be located  
8 between the cottage housing development and the primary street frontage.

9 a. Off-Street Parking Screening. Off-street parking may be located in or under a  
10 noncottage parking structure (such as a single or multi-auto carport or garage), but such  
11 structures shall not be attached to individual cottages. Uncovered parking is also  
12 permitted; provided, that off-street parking shall be screened from direct street view from  
13 one or more street facades by garage doors, or by a fence and landscaping.

14 b. Preferred locations for parking, in descending order of preference, are as  
15 follows:

16 i. To the rear of cottage housing units accessed by an alley.

17 ii. To the side of the cottage housing units access by a private driveway.

18 iii. Parking on the side (non-primary street) screened from the side street by  
19 either garage doors, landscaping, and/or fencing.

20 c. Parking Lot Landscaping. Parking lot landscaping shall comply with the  
21 requirements of Chapter 18.52 ACC.

## 22 **Exterior lighting and heating/cooling equipment noise.**

23 A. Objective. Cottage housing developments should be designed to minimize light and  
24 noise impacts both within the development and to adjacent properties.

25 1. Where provided, exterior lighting shall be mounted as low as possible, pointed  
26 downward, and the light source shall be shielded from direct observation from above,  
27 adjacent properties, and public rights-of-way. Lighting “spillover” to adjacent properties  
28 shall be avoided.

29 2. Heating (and cooling, if applicable) equipment for cottage housing developments  
30 shall be designed to cause little or no noise impacts within the development and to  
31 adjacent properties. To help prevent noise problems, heat pumps shall not be used for  
32 cottage housing developments.

## 33 **Required separation of cottage housing developments in the RS-5 and RS-7 zones.**

34 A. Objective. Cottage housing developments in single-family zones shall be separated  
35 from each other by a minimum distance to promote housing-type diversity, to reduce  
36 potential cumulative impacts of cottage housing development, and to help protect  
37 neighborhood character.

38 1. Each cottage housing development in the RS-5 or RS-7 zones shall be separated  
39 from any other cottage housing development in the RS-5 or RS-7 zones by a distance of  
40 at least 1,000 feet or one block, whichever is greater.

## 41 **Ownership and residential use of cottages.**

42 A. All cottage housing developments shall be developed utilizing the procedures of  
43 Chapter 17.24 ACC, Binding Site Plans, except that an association, cooperative or other

1 similar ownership technique may be substituted for the requirement of residential  
2 condominiums. Appropriate documentation of formal legal ownership of the  
3 development shall be recorded with the appropriate County recorder's office.

4 B. Cottages are for residential use only and may not be operated as transient  
5 accommodations.

## 6 **18.31.180 Performance Standards**

7 [ Editor's Note: Relocated from Chapter 18.58 and revised]

### 8 A. General.

9 The following performance standards specifically govern industrial, manufacturing,  
10 processing, assembly and similar type uses typically found within the industrial zones.  
11 These standards may also apply to other uses and activities in other zones, which are not  
12 otherwise governed by other regulations of the Auburn City Code. (Ord. 4229 § 2, 1987.)

### 13 B. Noise.

14 The noise emanating from the premises of commercial or industrial activities shall be  
15 muffled so as to not become objectionable due to intermittent beat, frequency or  
16 shrillness, and shall not exceed those standards as determined by Washington  
17 Administrative Code (WAC 173-60) as amended. (Ord. 4229 § 2, 1987.)

### 18 C. Glare.

19 Exterior lighting shall not be used in such a manner that it produces glare on public  
20 streets and neighboring property. This restriction also applies to any other nonresidential  
21 zone or use adjacent to single-family zones. Arc welding, acetylene torch cutting or  
22 similar processes shall be performed so as not to be seen from any point beyond the  
23 property line of the use creating the glare. (Ord. 4229 § 2, 1987.)

### 24 D. Storage and handling of flammables.

25 In terms of fire and safety hazards, the storage and handling of flammable liquids,  
26 combustible liquids, liquefied petroleum gases and explosives shall comply with the rules  
27 and regulations of the International Fire Code, as amended. (Ord. 5071 § 1, 1998; Ord.  
28 4229 § 2, 1987.)

### 29 E. Electrical interference.

30 Provisions must be made for necessary shielding or other preventive measures against  
31 interference occasioned by mechanical, electrical and nuclear equipment uses or  
32 processes with electrical apparatus in nearby buildings or land uses. (Ord. 4229 § 2,  
33 1987.)

### 34 F. Odorous gases and matter.

35 The emission of odorous gases or matter in such quantities as to be readily detectable,  
36 without special instruments, at any point beyond the property line of the use creating the  
37 odors, is prohibited. (Ord. 4229 § 2, 1987.)

1 G. Smoke and particulate matter emissions.

2 No emissions shall exceed the allowances set forth by the Environmental Protection  
3 Agency, the Washington State Department of Ecology and/or the Puget Sound Air  
4 Pollution Control Agency. (Ord. 4229 § 2, 1987.)

5 H. Dust, dirt, fly ash, or airborne solids.

6 No observable dust, dirt, fly ash or other airborne solids shall be emitted except as  
7 related to construction activity or permitted in Chapter 18.62 ACC, surface mining. (Ord.  
8 4229 § 2, 1987.)

9 I. Waste storage.

10 Storage of animal or vegetable wastes which attract insects or rodents or otherwise  
11 create a health hazard shall be prohibited. No waste products shall be exposed to view,  
12 from eye level, beyond the property line of the use storing the waste. (Ord. 4229 § 2,  
13 1987.)

14 J. Toxic gases and matter.

15 No emissions of toxic gases or matter shall be permitted. (Ord. 4229 § 2, 1987.)

16 K. Vibration.

17 Vibration which is easily discernible, without special instruments at any point beyond  
18 the property line, is prohibited. This shall not apply to vibration caused by highway  
19 vehicles, trains, aircraft or construction activities. (Ord. 4229 § 2, 1987.)

20 L. Hazardous substance and waste.

21 No hazardous substances or wastes shall be released into the environment so as to  
22 cause dangerous or offensive emission or contamination of any public or private water  
23 supply, sewage treatment processes, watercourse or water body, the air or the ground,  
24 except in accordance with standards approved by provisions of federal, state and local  
25 laws and regulations. (Ord. 4294 § 5, 1988.)  
26

[Editor's Note: Chapter 18.49 is a new proposed chapter that allows for flexible development standards for residential, mixed-use, and commercial/industrial development]

## **18.49 Flexible Development Alternatives**

18.49.010 Intent

18.49.020 Applicability – Residential Development

18.49.030 Applicability – Mixed-Use Development

18.49.040 Applicability – Commercial/Industrial Developments [Reserved – Phase 2]

18.49.050 Flexible Development Standards for Residential Development

18.49.060 Flexible Development Standards for Mixed-use Development

18.49.070 Flexible Development Standards for Commercial/Industrial [Reserved – Phase 2]

18.49.080 Procedures

18.49.090 Appeals

### **18.49.010 Intent**

The City of Auburn Flexible Development Alternatives process is intended to allow greater flexibility and creativity to develop a site through the development review process via alternative development standards. In exchange for the enhanced flexibility offered by these alternative standards, the City requires that the proposed development result in a significantly higher quality of design, generate more public benefit, and be more environmentally sensitive than would have been the case with the use of standard zoning or subdivision procedures.

This chapter describes standards and requirements to be used by the City of Auburn to determine whether a development proposal meets the City's minimum requirements to be eligible for review under the Flexible Development Alternatives approval process.

### **18.49.020 Applicability – Residential Development**

#### **A. Minimum Requirements for Residential Development:**

In order to qualify for consideration under the residential development provisions of this Chapter, a development proposal must meet all of the following requirements:

1. Site Requirements:

1 Flexible Development Alternatives for Residential Development is a two-tiered process including  
2 minimum requirements (all of which must be met) and flexible criteria, which must score a  
3 minimum of 100 points in at least three categories.

4 a. Location. The site of the proposed project must be located entirely within one or  
5 more of the following zoning districts: RS-1, RS-5, RS-7, RM-10, RM-16, RM-  
6 20.

7 b. Minimum Property Size.. The land on which the proposed development will be  
8 sited is a minimum of 20 acres for the RS-1 through RS-7 zones; and a minimum  
9 of 2 acres for the RM-10 through RM-20 zones.

10 [Note: Policy discussion – what is an appropriate minimum property size?]

11 c. Lot Configuration. The tract(s) of land for which the project is proposed shall be  
12 a common site with sufficient width and depth to accommodate the proposed use.

13 d. Ownership/control. Ownership/control. All land included for the purpose of the  
14 development shall be owned by or be under the complete control of the applicant  
15 for such proposal, whether the applicant be an individual, partnership,  
16 corporation, group, or agency.

17 2. Project Requirements:

18 a. Development Type. The development proposal must constitute a residential  
19 development. For purposes of this chapter, a residential development may consist  
20 of single family dwellings, multiple-family dwellings, or a combination thereof.

21 b. Consistency with intent of flexible development alternative regulations.  
22 Applicant must demonstrate that the proposed development is consistent with the  
23 intent of the Flexible Development Alternatives regulations as provided in ACC  
24 18.49.010.

25 c. Consistency with Auburn City Code. The proposed development shall be  
26 consistent with all other requirements of the Auburn City Code.

27 d. Consistency with Comprehensive Plan. Applicant must demonstrate that the  
28 proposed development is consistent with the goals, objectives, and policies of the  
29 City of Auburn Comprehensive Plan.

30 e. Arrangement of uses. Where non-residential uses are proposed as a component of  
31 the overall residential development. Non-residential uses may not occupy more  
32 than 20 percent of the overall site.

33 **B. Eligibility – Flexible Development Alternatives Scoring Matrix for Residential**  
34 **Development**

Section ACC 18.49.020C shall be used to determine eligibility of a proposal for review under the City's Flexible Development Alternatives approval process. To meet the requirements, a project must: a) score at least 100 points total by providing any combination of features or amenities found in ACC 18.49.020C below; and b) score points in any 3 or more of Categories 1 through 8 listed in the table.

**C. Eligibility – Residential Flexible Development Matrix**

Feature/Benefit	Points Possible
<b>Category 1- Sustainability</b>	
a. Project design incorporates the use of one or more of the following low impact development (LID) techniques consistent with the 2005 Puget Sound Partnership Low Impact Development Technical Guidance Manual: bioretention, soil amendment, permeable paving, vegetated roofs, minimal excavation foundations, rooftop rainwater collection.	5 points per technique up to a maximum of 25 points
b. All residential units in the proposal meets the design requirements for one or more of the following LEED Certifications: <ul style="list-style-type: none"> <li>o LEED Homes</li> <li>o LEED Neighborhood</li> <li>o Built Green Single Family Homes</li> <li>o Built Green Multi-Family</li> <li>o Built Green Community</li> </ul>	<p>LEED: 15 points for certification, add the following points for applicable design level: 5 points for Silver, 10 points for Gold, 15 points for Platinum</p> <p>Built Green single family and multi- family: 10 points for 4-star design level, 15 points for 5-star design level</p> <p>Built Green Community: 10 points for 2-star design level, 15 points for 3-star design</p>
c. Project buildings and structures are constructed with at least 10% post-consumer content/recycled materials.	5 points, plus 1 point for each two percentage points in excess of 10%; up to a maximum of 10 points
d. Project implements a construction recycling program approved by the City of Auburn Building Division for construction, demolition and deconstruction projects that achieves a 90% landfill diversion rate	5 points
e. Project design incorporates one or more water conservation and management features (i.e. low-flow toilets, Energy Star rated dishwashers and clothes washing machines, drip irrigation system, etc.).	5 points, plus one point for each type of water conservation/management feature
f. Project design incorporates one or more energy conservation/efficiency features (i.e. orienting buildings for passive cooling and optimal use of natural lighting, high efficiency lighting with occupancy sensors for common areas, Energy Star rated appliances, use of solar panels, etc.)	5 points, plus one point for each type of energy conservation/efficiency feature



<b>Feature/Benefit</b>	<b>Points Possible</b>
g. Applicant has provided an assessment of project's carbon footprint prepared by a qualified consultant as defined in ACC 18.04.	10 points
<b>Category 2- Urban Design</b>	
a. Project incorporates "public art" features that reflect the community's values, history, economy or people in accordance with the City of Auburn Comprehensive Plan	5 points
b. Project does not contain fences, walls or other barriers that limit or block access by bicyclists, in accordance with the City of Auburn Comprehensive Plan	5 points
c. Project involves the voluntary undergrounding of existing above ground utilities in accordance with the City of Auburn Comprehensive Plan	5 points + 1 point for every 25 feet of frontage up to a maximum of 10 points
d. Project incorporates beautification of a designated primary travel corridor (pursuant to the adopted City Transportation Plan) in accordance with the City of Auburn Comprehensive Plan	10 points
e. Project incorporates pedestrian- or transit-friendly design features such as rear or side yard parking, wider sidewalks, street furniture, and building awnings in accordance with the City of Auburn Comprehensive Plan	5 points + 1 point per non-repeated design feature up to a maximum of 15 points
<b>Category 3- Community Cohesion and Neighborhood Safety</b>	
a. Project incorporates Crime Prevention through Environmental Design principles.	5 points, plus 1 point for each CPTED technique incorporated in design
b. Project design incorporates features or design elements to minimize interfaces between pedestrians and vehicular traffic (i.e. elevated walkway, de-linking walkways and streets, etc.).	5 points
c. Project design provides for well defined neighborhood gateways and community/common open spaces.	5 points
d. Project provides secure and observable play spaces for children.	5 points
e. Project provides for outdoor seating/gathering areas for passive social activities (i.e. reading, conversing, or playing chess, etc.)	3 points
<b>Category 4- Housing</b>	
a. Senior Housing – Project creates or rehabilitates a minimum of ten percent or two units (whichever is greater) of proposed housing meeting the definition of 'senior housing' as provided in ACC 18.04.	2 points per senior housing unit up to a maximum of 15 points
b. Special Needs Housing – Project creates or rehabilitates a minimum of ten percent or two units (whichever is greater) of proposed housing meeting the definition of 'special needs housing' as provided in ACC 18.04.	2 points per senior housing unit up to a maximum of 15 points

<b>Feature/Benefit</b>	<b>Points Possible</b>
c. Rehabilitation – Project rehabilitates one or more existing housing units. Rehabilitation must meet the definition of Housing Rehabilitation as defined in ACC 18.04.	2 points per rehabilitated housing unit, to a maximum of 50 pts
d. Housing Variety – Project creates or rehabilitates units representing two or more housing types as allowed in ACC 18.06.020 in the zone in which the development is proposed.	2 points per max of housing type up to a maximum of 10 points
<b>Category 5- Open Space and Recreation</b>	
a. Projects incorporating residential units provide for individual unit private open space area through the provision of a balcony, covered porch or similar architectural feature.	3 points
b. Projects incorporating residential units provide for common open space area adjacent to the mixed use building(s) that equates to 250 square feet of common open space per unit or 10% of the total gross site area, whichever is greater.	5 points
c. Project creates a neighborhood park, trail, or other public recreational amenity as listed in ACC 18.xx.xxx not otherwise required by City development regulations.	2 points for each 0.25-acre of area or 200 linear feet of trail up to a maximum of 15 points
d. Project provides one or more common gardening spaces or community “Pea Patch” areas for residents of the development or surrounding neighborhood.	5 points, plus 1 point for each 250 square feet of gardening space.
<b>Category 6- Natural Resources Protection</b>	
a. Project retains and provides a “superior level of protection and or enhancement” as defined in ACC 18.04 for sensitive natural features on site, including: wetlands, surface waters, geological hazardous areas, sensitive plant and animal species, etc.	15 points
b. The project design demonstrates a “superior level of protection and or enhancement” as defined in ACC 18.04 for elements of the environment, including: air quality, water quality, natural topography, native vegetation, etc.	15 points
c. The project design demonstrates a “superior level of mitigation” as defined in ACC 18.04 for impacts associated with the proposed development (or abatement of existing environmental conditions in the neighborhood) such as noise, light and glare, odors, vibration, etc..	15 points
<b>Category 7- Cultural/Historic</b>	
a. Project preserves a site, structure or feature of cultural or historic significance as defined in ACC 18.04.	25 points

<b>Feature/Benefit</b>	<b>Points Possible</b>
b. Project restores or enhances a site, structure or feature of cultural or historic significance as defined in ACC 18.04.	40 points
c. Project is located in any district designated in accordance with the City of Auburn Historic Preservation Code, Chapter 15.76 ACC, or any other district designated by City of Auburn ordinance or resolution intended to preserve, protect, enhance, and/or perpetuate those sites, buildings, districts, structures or objects which possess notable features or reflect significant elements of Auburn's, the county's, state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic, or other heritage. Applicant must demonstrate that project design advances the stated intent of the district designation.	15 points
<b>Category 8- Transportation and Mobility</b>	
a. Project demonstrates coordination with local and regional transit agencies and includes new transit facilities or features.	15 points
b. Project design includes non-motorized transportation features and amenities as defined in ACC 18.04 not otherwise required under by the City code (i.e. pedestrian walkways, multi-use paths, bicycle racks/lockable storage, connections with other local/regional trails, walkways, paths, etc.).	5 points for each feature, up to a maximum of 25
c. Project improves the public street(s) adjacent to the project site using a "Complete Streets" design to provide accommodation for pedestrians, bicyclists, transit riders, and persons of all abilities, where such improvements are not otherwise required by City development regulations.	25 points
d. Project design includes one or more Transportation Demand Management features as defined in ACC 18.04 (i.e. preferential parking for high-occupancy vehicles, improved access for transit vehicles, etc.).	5 points for each feature, up to a maximum of 15
e. Project provides for one or more transportation alternatives as defined by ACC 18.04 (i.e. car share, bike share, etc.).	5 points for each alternative, up to a maximum of 15

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<b>Design Innovation Bonus</b>	
a. Project demonstrates a high degree of innovation by providing one or more design features not listed elsewhere in this rating instrument or otherwise required by City development regulations that promote(s)	10 points

sustainability, energy/water conservation or efficiency, community cohesion, neighborhood safety, adaptive re-use of existing development, or enhanced transportation circulation/mobility.

## **18.49.030 Applicability – Mixed-Use Development**

Flexible Development Alternatives for Mixed-Use Development is a two-tiered process including minimum requirements (all of which must be met) and flexible criteria, which must score a minimum of 100 points in at least three categories.

### **A. Minimum Requirements for Mixed-Use Development:**

In order to qualify for consideration under the mixed-use development provisions of this Chapter, a development proposal must meet all of the following requirements:

#### **1. Site Requirements:**

- a. Location. The site of the proposed project must be located entirely within one or more of the following zoning districts: C1, C2, C3, CN, RO, RO-H, M1.
- b. Lot Configuration. The tract(s) of land for which the project is proposed shall be a common site with sufficient width and depth to accommodate the proposed use.
- c. Ownership/control. All land included for the purpose of the development shall be owned by or be under the complete control of the applicant for such proposal, whether the applicant be an individual, partnership, corporation, group, or agency.
- d. Proximity to a Multi-Modal Transportation Corridor. The site of the proposed development shall be located a maximum of one quarter mile from a multi-modal transportation corridor within the City of Auburn. The proposed development shall provide vehicular, transit, bicycle or pedestrian access to the corridor.
- e. Proximity to Public Street System. The site of the proposed development shall abut one or more public streets having a current functional street classification of Principal Arterial, Minor Arterial, Residential Collector, or Non-Residential Collector as designated by the Auburn Comprehensive Transportation Plan.

#### **2. Project Requirements:**

- a. Development Type. The development proposal must constitute a mixed-use development. For purposes of this chapter, a mixed use development is a single unified development that incorporates the planned integration of two or more different land uses consisting of some combination of office, light industrial (if allowed in underlying zone), hotel, retail, public entertainment and public uses,

and/or housing. Mixed-use projects may be vertically oriented in one or more buildings, or geographically distributed on a development site.

b. Consistency with intent of flexible development alternative regulations. Applicant must demonstrate that the proposed development is consistent with the intent of the Flexible Development Alternatives regulations as provided in ACC 18.49.010.

c. Consistency with Auburn City Code. The proposed development shall be consistent with all other requirements of the Auburn City Code.

d. Consistency with Comprehensive Plan. Applicant must demonstrate that the proposed development is consistent with the goals, objectives, and policies of the City of Auburn Comprehensive Plan.

e. Arrangement of uses. No residential use may occupy more than 25 percent of the first floor of a building with two or more uses.

#### **B. Eligibility – Flexible Development Alternatives Scoring Matrix for Mixed-Use Development**

Section ACC 18.49.030C shall be used to determine eligibility of a proposal for review under the City's Flexible Development Alternatives approval process. To meet the requirements, a project must: 1) score at least 100 points total by providing any combination of features or amenities found in ACC 18.49.030C below; and 2) score points in any 3 or more of Categories 1 through 9 listed in the table. For each development proposal requesting evaluation through the flexible development alternatives process, the planning director shall determine: a) Whether the proposal meets the criteria for each feature in the flexible development matrix in ACC 18.49.030C; and b) The number of points awarded for each qualifying feature consistent with the matrix.

#### **C. Eligibility – Mixed-Use Flexible Development Matrix**

Feature/Benefit	Points Possible
<b>Category 1- Sustainability</b>	
a. Project design incorporates the use of one or more of the following low impact development (LID) techniques consistent with the 2005 Puget Sound Partnership Low Impact Development Technical Guidance Manual: bioretention, soil amendment, permeable paving, vegetated roofs, minimal excavation foundations, rooftop rainwater collection. [Note: add reference to City design & construction standards. Relation to NPDES discussion needed.]	5 points per technique up to a maximum of 25 points
b. Residential portion of project (all residential units) meets the design	LEED: 15 points for certification, add the following points for applicable

Feature/Benefit	Points Possible
<p>requirements for one or more of the following LEED or Built Green Certifications:</p> <ul style="list-style-type: none"> <li>○ LEED Homes</li> <li>○ LEED Neighborhood</li> <li>○ Built Green Single Family Homes</li> <li>○ Built Green Multi-Family</li> <li>○ Built Green Community</li> </ul>	<p>design level: 5 points for Silver, 10 points for Gold, 15 points for Platinum</p> <p>Built Green single family and multi family: 10 points for 4-star design level, 15 points for 5-star design level</p> <p>Built Green Community: 10 points for 2-star design level, 15 points for 3-star design</p>
<p>c. Non-residential portion of project (all non-residential buildings, structures, or spaces) meets the design requirements for one or more of the following LEED Certifications:</p> <ul style="list-style-type: none"> <li>○ LEED Core and Shell</li> <li>○ LEED New Construction</li> <li>○ LEED Commercial Interiors</li> <li>○ LEED Retail</li> </ul>	<p>15 points for certification, add the following points for applicable design level: 5 points for Silver, 10 points for Gold, 15 points for Platinum</p>
<p>d. Project buildings and structures are constructed with at least 10% post-consumer content/recycled materials.</p>	<p>5 points, plus 1 point for each two percentage points in excess of 10%; up to a maximum of 10 points</p>
<p>e. Project implements a construction recycling program approved by the City of Auburn Building Division for construction, demolition and deconstruction projects that achieves a 90% landfill diversion rate</p>	<p>5 points</p>
<p>f. Project design incorporates one or more water conservation and management features not otherwise required by other City development regulations or standards (i.e. low-flow toilets, Energy Star rated appliances, drip irrigation system, etc.).</p>	<p>5 points, plus one point for each type of water conservation/management feature</p>
<p>g. Project design incorporates one or more energy conservation/efficiency features (i.e. orienting buildings for passive cooling and optimal use of natural lighting, high efficiency lighting with occupancy sensors for common areas, Energy Star rated appliances, use of solar panels, etc.)</p>	<p>5 points, plus one point for each type of energy conservation/efficiency feature</p>
<p>h. Applicant has provided an assessment of project's carbon footprint prepared by a qualified consultant as defined in ACC 18.04.</p>	<p>10 points</p>
<b>Category 2- Urban Design</b>	
<p>a. Project incorporates "public art" features that reflect the community's values, history, economy or people in accordance with the City of Auburn Comprehensive Plan</p>	<p>5 points</p>
<p>b. Project does not contain fences, walls or other barriers that limit or block access by bicyclists, in accordance with the City of Auburn Comprehensive Plan</p>	<p>5 points</p>

<b>Feature/Benefit</b>	<b>Points Possible</b>
c. Project involves the voluntary undergrounding of existing above ground private utility distribution, service, and telecommunication lines not otherwise required by the City.	5 points + 1 point for every 25 feet of frontage up to a maximum of 10 points
d. Project incorporates landscaping; design features such as decorative, textured, or pigmented concrete; historical signage; or other features not otherwise required by other City codes that enhance the visual appearance of streets adjacent to the project (pursuant to the adopted City Transportation Plan) in accordance with the City of Auburn Comprehensive Plan [Note: tie more closely to Comp Plan language per city staff comment?]	10 points
e. Project incorporates transit friendly design features such as rear or side yard parking, wider sidewalks, street furniture, and building awnings in accordance with the City of Auburn Comprehensive Plan	5 points + 1 point per non-repeated design feature up to a maximum of 15 points
<b>Category 3- Community Cohesion and Neighborhood Safety</b>	
a. Project incorporates Crime Prevention through Environmental Design principles.	5 points, plus 1 point for each CPTED technique incorporated in design
b. Project design incorporates features or design elements to minimize interfaces between pedestrians and vehicular traffic (i.e. elevated walkway, de-linking walkways and streets, etc.).	5 points
c. Planning director finds that project design provides for well defined neighborhood gateways and community/common open spaces.	5 points
d. Project provides secure and observable play spaces for children.	5 points
e. Project provides for outdoor seating/gathering areas for passive social activities (i.e. reading, conversing, or playing chess, etc.)	3 points
<b>Category 4- Housing</b>	
a. Senior Housing – Project creates or rehabilitates a minimum of ten percent or two units (whichever is greater) of proposed housing meeting the definition of 'senior housing' as provided in ACC 18.04.	2 points per senior housing unit up to a maximum of 15 points
b. Special Needs Housing – Project creates or rehabilitates a minimum of ten percent or two units (whichever is greater) of proposed housing meeting the definition of 'special needs housing' as provided in ACC 18.04.	2 points per senior housing unit up to a maximum of 15 points
c. Rehabilitation – Project rehabilitates one or more existing housing units. Rehabilitation must meet the definition of Housing Rehabilitation as defined in ACC 18.04.	2 points per rehabilitated housing unit, to a maximum of 50 pts

<b>Feature/Benefit</b>	<b>Points Possible</b>
d. Housing Variety – Project creates or rehabilitates units representing two or more housing types as defined by ACC 18.04.	2 points per max of housing type up to a maximum of 10 points
<b>Category 5- Open Space and Recreation</b>	
a. Projects incorporating residential units provide for individual unit private open space area through the provision of a balcony, covered porch or similar architectural feature.	3 points
b. Projects incorporating residential units provide for common open space area adjacent to the mixed use building(s) that equates to 250 square feet of common open space per unit or 10% of the total gross site area, whichever is greater.	5 points
c. Project creates a neighborhood park, trail, or other public recreational amenity as listed in ACC 18.04.756 (note: proposed new definition) not otherwise required by City development regulations.	2 points for each 0.25-acre of area or 200 linear feet of trail up to a maximum of 15 points
d. Project provides one or more common gardening spaces or community “Pea Patch” areas for residents of the development or surrounding neighborhood.	5 points, plus 1 point for each 250 square feet of gardening space.
<b>Category 6- Natural Resources Protection</b>	
a. Project retains and provides a “superior level of protection and or enhancement” as defined in ACC 18.04 for sensitive natural features on site, including: wetlands, surface waters, geological hazardous areas, sensitive plant and animal species, etc.	15 points
b. The project design demonstrates a “superior level of protection and or enhancement” as defined in ACC 18.04 for elements of the environment, including: air quality, water quality, natural topography, native vegetation, etc.	15 points
c. The project design demonstrates a “superior level of mitigation” as defined in ACC 18.04 for impacts associated with the proposed development (or abatement of existing environmental conditions in the neighborhood) such as noise, light and glare, odors, vibration, etc..	15 points
<b>Category 7- Cultural/Historic</b>	
a. Project preserves a site, structure or feature of cultural or historic significance as defined in ACC 18.04.	25 points



<b>Feature/Benefit</b>	<b>Points Possible</b>
b. Project restores or enhances a site, structure or feature of cultural or historic significance as defined in ACC 18.04.	40 points
c. Project is located in any district designated in accordance with the City of Auburn Historic Preservation Code, Chapter 15.76 ACC, or any other district designated by City of Auburn ordinance or resolution intended to preserve, protect, enhance, and/or perpetuate those sites, buildings, districts, structures or objects which possess notable features or reflect significant elements of Auburn's, the county's, state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic, or other heritage. Applicant must demonstrate that project design advances the stated intent of the district designation.	15 points
<b>Category 8- Transportation and Mobility</b>	
a. Project demonstrates coordination with local and regional transit agencies and includes new transit facilities or features.	15 points
b. Project design includes non-motorized transportation features and amenities as defined in ACC 18.04 not otherwise required under by the City code and/or City Comprehensive Plan (i.e. pedestrian walkways, multi-use paths, bicycle racks/lockable storage, connections with other local/regional trails, walkways, paths, etc.).	5 points for each feature, up to a maximum of 25
c. Project improves the public street(s) adjacent to the project site using a "Complete Streets" design to provide accommodation for pedestrians, bicyclists, transit riders, and persons of all abilities, where such improvements are not otherwise required by City development regulations.	25 points
d. Project design includes one or more Transportation Demand Management features as defined in ACC 18.04 (i.e. preferential parking for high-occupancy vehicles, improved access for transit vehicles, etc.).	5 points for each feature, up to a maximum of 15
e. Project provides for one or more transportation alternatives as defined by ACC 18.04 (i.e. car share, bike share, etc.).	5 points for each alternative, up to a maximum of 15
<b>Category 9- Economic Development</b>	
a. Project creates or retains a minimum of 10 permanent family wage jobs as defined by ACC 18.04	2 points per job created up to a maximum of 50
b. Project creates or retains a minimum of 10	4 points per job created up to a

Feature/Benefit	Points Possible
permanent higher wage jobs as defined by ACC 18.04.	maximum of 50
c. Project provides one or more neighborhood services listed in ACC 18.04.xx. [Note: new definition of neighborhood services will list variety of services. Possible discussion on what policymakers would like in list.]	3 points per neighborhood service up to a maximum of 15 points
c. Project revitalizes (i.e., proposed more intensive and active development than exists) commercial or industrial sites incorporating current adopted design standards producing commercial uses in accordance with the City of Auburn Comprehensive Plan.	10 points

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Design Innovation Bonus	
a. Project demonstrates a high degree of innovation by providing one or more design features not listed elsewhere in this rating instrument or otherwise required by City development regulations that promote(s) sustainability, energy/water conservation or efficiency, community cohesion, neighborhood safety, adaptive re-use of existing development, or enhanced transportation circulation/mobility.	10 points

2

### 3 **18.49.040 Applicability – Commercial/Industrial Developments**

4 [Note: RESERVED for Phase 2]

### 5 **18.49.050 Flexible Development Standards for Residential** 6 **Development**

7 Residential development that meets the minimum eligibility requirements of ACC 18.49.020 are  
8 able to utilize the flexible development standards outlined in this section.

#### 9 **A. General Development Standards**

10 The following general flexible development standards would be applicable to residential  
11 development that meets the eligibility criteria for residential development as outlined in ACC  
12 18.49.030A above.

#### 13 1. Alternative Lot Dimension Requirements

14 Lot area, lot frontage and width, and yard setback requirements otherwise required under Title 18  
15 ACC shall not apply to individual lots within a flexible development authorized under Chapter

1 18.49 ACC, provided that the Director has approved the proposed alternative lot dimensions for  
2 the development subject to the following limitations:

3 a. Lots having primary frontage on a street other than a street created by the development  
4 shall not have reduced frontage or front yard setbacks unless the Director determines that doing  
5 so improves consistency of building spacing and bulk with the character of the existing facility;  
6 and

7 [Note: Need to address staff comment related to 1.a. above that may not be able to access street  
8 not created by development due to requirements of subdivision process to access via lower  
9 classified street.]

10 b. At least fifty percent (50%) of the required frontage and side and rear yard setbacks for  
11 the district shall be maintained in the development.

12 c. In no case shall required lot widths be reduced below 50% of the underlying zone  
13 requirement, or below 30 feet as the absolute minimum required lot width within residential  
14 zones.

15 2. Alternative Parking Lot Landscaping Requirements

16 Parking lot landscaping type, location, frontage, and area requirements under ACC 18.50.060  
17 shall not apply to off-street parking areas in a flexible development authorized under Chapter  
18 18.49 ACC, provided that the Director has approved an alternative landscape design for the  
19 development subject to the following limitations:

20 a. Total proposed parking lot landscape area is greater than or equal to parking lot landscape  
21 are required under ACC 18.50.060(H); and

22 b. No sight-obscuring plants will be allowed whenever safe sight clearance is necessary for  
23 ingress and egress from a public street.

24 3. Alternative Engineering Design Standards

25 Residential flexible development projects authorized under Chapter 18.49 ACC shall be eligible  
26 to deviate from the City of Auburn Engineering Design Standards, provided that the City  
27 Engineer has determined that the proposed design: 1) Meets or exceeds the technical  
28 requirements otherwise required by the Engineering Design Standards, 2) is consistent with the  
29 City Comprehensive Plan and applicable capital facilities and comprehensive utility plans, and 3)  
30 is consistent with the purpose and intent of the flexible development regulations under Chapter  
31 18.49 ACC.

32 4. Expedited Permitting Process of 90 days or less:

33 Flexible development projects authorized under Chapter 18.49 ACC shall receive expedited  
34 permit review for City development permits associated with the project. For such development  
35 permits, the City shall strive to limit the City's processing time to not more than 90 days after  
36 receipt of a complete permit application as stated in a letter from the City acknowledging receipt

of said complete application. Time during which applicants are providing revisions and/or otherwise amending a permit application shall not be counted against the 90 day permit processing timeline.

#### 5. Density Bonus

A density bonus allowing up to 150% of the maximum density of the underlying zone shall be allowed for developments that meet the eligibility criteria of ACC 18.49.020.

[Note: Policy discussion needed. Potential big benefit for developer. Will need to ensure that the public benefit is big enough to allow this.]

### **B. Feature-Specific Residential Development Standards**

#### 1. Open Space Density Bonus

As an open space incentive, the project may be allowed an increase in residential lots over the base number of lots otherwise allowed, using the following calculations: A number of bonus lots may be awarded equal to the base number times a percentage that equals one-half the percentage of open space set aside in excess of the minimum required, up to a maximum bonus limit of 10% of the base number. For example, a 10% bonus increase above the base number of lots is allowed if open space set aside is 20% or more higher than the minimum required. Fractions of 0.5 lots or more shall be rounded up, and others rounded down.

#### 2. Alternative Minimum Off Street Parking

Development projects that incorporate at least two of the following features as part of the multi-family residential portion of the development may reduce the number of off-street parking spaces otherwise required under ACC 18.52 for that/those portion(s) of the development by 25 percent:

- Within one half mile of transit stops serving transit routes that provide service six or more days per week;
- Improved access for transit vehicles;
- Alternative transportation elements (i.e. car share, bicycle parking facilities, etc.); and
- Connections with other local/regional trails, walkways, paths, etc.

[Note: Revised so clarify only applicable to multi-family residential development – not single-family. Also deleted reference to non-residential which is more appropriate to mixed-use portion of 18.49.]

### **18.49.060 Flexible Development Standards for Mixed-use Development**

Development that meets the minimum eligibility requirements of ACC 18.49.030 are able to utilize the flexible development standards outlined in this section.

1     **A.     General Development Standards**

2     The following general flexible development standards would be applicable to development that  
3     meets the eligibility criteria for mixed-use development as outlined in ACC 18.49.030.

4     1.     Alternative Lot Dimension Requirements

5     Lot area, lot frontage and width, and yard setback requirements otherwise required under Title 18  
6     ACC shall not apply to individual lots within a flexible development authorized under Chapter  
7     18.49 ACC, provided that the Director has approved the proposed alternative lot dimensions for  
8     the development subject to the following limitations:

9     a.     Lots having primary frontage on a street other than a street created by the development  
10    shall not have reduced frontage or front yard setbacks unless the Director determines that doing  
11    so improves consistency of building spacing and bulk with the character of the existing facility;  
12    and

13   b.     At least fifty percent (50%) of the required frontage and side and rear yard setbacks for  
14   the district shall be maintained in the development.

15   2.     Alternative Parking Lot Landscaping Requirements

16   Parking lot landscaping type, location, frontage, and area requirements under ACC 18.50.060(H)  
17   shall not apply to off-street parking areas in a flexible development authorized under Chapter  
18   18.49 ACC, provided that the Director has approved an alternative landscape design for the  
19   development subject to the following limitations:

20   a.     Total proposed parking lot landscape area is greater than or equal to parking lot landscape  
21   are required under ACC 18.50.060(H); and

22   b.     No sight-obscuring plants will be allowed whenever safe sight clearance is necessary for  
23   ingress and egress from a public street.

24   3.     Alternative Engineering Design Standards

25   Mixed-use flexible development projects authorized under Chapter 18.49 ACC shall be eligible to  
26   deviate from the City of Auburn Engineering Design Standards consistent with City of Auburn  
27   Construction and Design Standards process, provided that the City Engineer has determined that  
28   the proposed design: 1) Meets or exceeds the technical requirements otherwise required by the  
29   Engineering Design Standards, 2) is consistent with the City Comprehensive Plan and applicable  
30   capital facilities and comprehensive utility plans, and 3) is consistent with the purpose and intent  
31   of the flexible development regulations under Chapter 18.49 ACC.

32   4.     Expedited Permitting Process of 90 days or less:

33   Flexible development projects authorized under Chapter 18.49 ACC shall receive expedited  
34   permit review for City development permits associated with the project. For such development  
35   permits, the City shall strive to limit the City's processing time to not more than 90 days after  
36   receipt of a complete permit application, including SEPA environmental review information as  
37   required by Chapter 16.06 ACC, as stated in a letter from the City acknowledging receipt of said

complete application or 75% of the standard processing time for such application, whichever is greater. Time during which applicants are providing revisions and/or otherwise amending a permit application shall not be counted against the 90 day permit processing timeline. If City fails to meet this standard after a project is deemed eligible, the applicant is eligible for a refund of half of permit application fees.

[Note: suggested revision an attempt to account for the range and complexity of varying application types. Also notes what happens if City fails to meet standard – refund of up to half of permit application fees. Is this appropriate? Policy discussion needed.]

#### 5. Density Bonus

A density bonus allowing up to 150% of the maximum density of the underlying zone shall be allowed for developments that meet the eligibility criteria of ACC 18.49.030.

### **B. Feature-Specific Mixed Use Development Standards**

#### 1. Open Space Density Bonus

As an open space incentive, the project may be allowed an increase in residential lots over the base number of lots otherwise allowed, using the following calculations: A number of bonus lots may be awarded equal to the base number times a percentage that equals one-half the percentage of open space set aside in excess of the minimum required, up to a maximum bonus limit of 10% of the base number. For example, a 10% bonus increase above the base number of lots is allowed if open space set aside is 20% or more higher than the minimum required. Fractions of 0.5 lots or more shall be rounded up, and others rounded down.

#### 2. Alternative Minimum Off Street Parking

Development can qualify for either subsection a. or b. of this Section, but not both.

a. Development projects that incorporate shared parking areas for two or more non-residential principal uses may reduce the total number of off-street parking spaces otherwise required for those uses under ACC.18.52 by 25 percent.

b. Development projects that incorporate any of the following features as part of the residential and/or non-residential portions of the development may reduce the number of off-street parking spaces otherwise required under ACC 18.52 for that/those portion(s) of the development by 25 percent; developments also providing for shared parking for two or more non-residential principal uses may reduce the number of non-residential off-street parking spaces otherwise required under ACC.18.52 by 35 percent:

- Transit stops;
- Improved access for transit vehicles;
- Alternative transportation elements (i.e. car share, bicycle parking facilities, etc.); and

1 [Note: city staff comment on location of bicycle parking facilities here and need for certain  
2 minimum requirement.]

- 3 • Connections with other local/regional trails, walkways, paths, etc.

### 4 3. Structured Parking Bonus

5 A development that includes all of its proposed parking within a parking structure (as defined in  
6 ACC 18.04) that is screened from surrounding public streets and public spaces may be allowed to  
7 reduce minimum garage setbacks to 0" for portions of the parking structure that are underground.

### 8 4. Use of Hardscape for Open Space

9 A mixed use development may be allowed to provide up to 75% of its required on-site open space  
10 as hardscape such as decorative paving, rock outcroppings, fountains, plant containers for  
11 features such as plazas, courtyards, and other public gathering spaces. Hardscape is encouraged  
12 to be provided in the form of pervious surfaces meeting City Design and Construction Standards.

### 13 5. Maximum Height Bonus

14 Mixed use development that includes required on-site parking within a parking structure may  
15 provide an additional 10 feet of height to the building provided that a portion of that height is  
16 used to provide roof forms that provide distinctive roof forms such as:

- 17 • pitched or sloped roof;
- 18 • extended parapets; or
- 19 • projecting cornices

## 20 **18.49.070 Flexible Development Standards for Commercial/Industrial**

21 [Note: RESERVED for Phase 2]

## 22 **18.49.080 Procedures**

23 A. Project proponents interested in applying for flexible development under this code  
24 section must follow the requirements of the underlying permit process as outlined in Title 14 of  
25 the ACC with the following exceptions:

26 1. Prior to submittal of an application that incorporates proposed flexible development  
27 standards, the applicant must first submit:

28 a. A checklist on a form provided by the City of Auburn outlining the features that the  
29 development proposal will utilize to reach the required 100 point eligibility needed to utilize  
30 flexible development standards.

31 b. A conceptual site plan (including conceptual design of all public utility facilities and road  
32 design) and narrative that identifies the features that meet the 100 point requirement of ACC  
33 18.49.020, 18.49.030, or 18.49.040 based on development type, and that identifies the flexible

1 development features of ACC 18.49.050, 18.49.060, and 18.49.070 based on development type  
2 that the applicant proposes to utilize for the development proposal.

3 B. The City of Auburn shall evaluate flexible development submittals provided pursuant to  
4 ACC 18.49.080A. and provide a written statement identifying whether or not the applicant met  
5 the required minimum score and is allowed to utilize flexible development standards outlined in  
6 this Chapter.

7 C. Modifications

8 Any proposed modifications to development projects that have been accepted as flexible  
9 development proposals, and that include amendment to a flexible development eligibility feature  
10 or flexible development standard called out in the application materials submitted as part of the  
11 requirements of ACC 18.49.080A must be re-evaluated through a revised application submittals  
12 that provide information consistent with the requirements of ACC 18.49.080A.1.a. through b.

### 13 **18.49.090 Appeals**

14 Appeals of administrative decisions regarding eligibility for flexible development shall be made  
15 to the Hearing Examiner as outlined in ACC Chapters 18.66 and 18.70 (not sure what the new  
16 chapter numbers are).



# 18.51 Density Recognition

18.51.010	Purpose
18.51.020	Applicability
18.51.030	Methods of Calculating Density
18.51.040	Residential Density Incentives

## 18.51.010 Purpose

The purpose of this chapter is to delineate the methods of providing for density recognition within the City of Auburn, including standard methods of density recognition, as well as providing for residential density incentives (RDI) in exchange for provision of public benefits in eligible locations.

## 18.51.020 Applicability

This chapter shall only be applied for the purposes of historic preservation and enhancement of critical areas buffers for those residential development projects. Residential development projects that are being developed under Chapter 18.25 or Chapter 18.49 are also eligible for consideration under Chapter 18.51.

## 18.51.030 General Methods of Calculating Density

[Note: Need definitions in ACC 18.04 for minimum density; base density; bonus density; gross site area; net site area; recreation space. Also need to ensure wording is consistent in ACC 18.06.]

The permitted number of dwelling units or lots shall be determined as follows:

A. Minimum Density Calculation. All areas used to calculate the allowed residential density of a parcel shall exclude areas designated for public rights-of-way except for the designation of additional right of way along an arterial, private streets, vehicle access easements, and on-site public or HOA maintained recreation space if required and shall be subject to the following adjustments and limitations for historic preservation and the enhancement of critical areas buffers:

1. No density credit shall be allowed for streams, wetlands, fish and wildlife habitat areas, and high landslide hazards; and
2. Full density credit shall be allowed for any required critical area buffer, seismic hazards, and flood hazard areas unless critical areas identified in (1) above are present.

The allowed number of dwelling units or lots (density) shall be computed by multiplying the net site area of the lot as calculated in this section by the applicable residential minimum density number found in the development standards for each zone.

- 51 B. Base Density Calculation. The allowed number of dwelling units or lots (density) shall be  
52 computed by multiplying the gross site area of the lot by the applicable residential base  
53 density number found in the development standards for each zone.
- 54 C. The bonus density allowed through RDI (unit or lot) limits, where applicable, shall be  
55 computed by adding the bonus units authorized by 18.25 ACC, 18.49 ACC and ACC  
56 18.51.040 to the base units computed under subsection (A) of this section.
- 57 D. When calculations result in a fraction, the fraction shall be rounded to the nearest whole  
58 number as follows:
- 59 1. Fractions of 0.50 or above shall be rounded up; and  
60 2. Fractions below 0.50 shall be rounded down.

#### 61 **18.51.040 Residential Density Incentives**

- 62 A. The purpose of the residential density incentive program is to provide density incentives to  
63 developers of residential lands in exchange for public benefits to help achieve applicable  
64 Comprehensive Plan goals and policies of providing historic preservation, and the  
65 enhancement of critical area buffers.
- 66 B. Residential density incentives shall only be used in the following zones: RS-5, RS-7, RM-10,  
67 RM-16 and RM-20.
- 68 C. Bonus Density Achieved through Residential Density Incentive. The greatest density  
69 permitted through the residential density incentive program shall be 125 percent of the base  
70 density of the underlying zone. Applicants seeking a higher density bonus may apply for  
71 flexible development density bonus provisions of ACC 18.49.
- 72 D. Public Benefits and Density Incentives
- 73 1. The public benefits eligible to earn increased densities, and the largest incentive to be  
74 earned by each benefit, are set forth in subsection (4) of this section. The density  
75 incentive is expressed as additional bonus dwelling units (or fractions of dwelling units)  
76 earned per amount of public benefit provided.
- 77 2. Bonus dwelling units may be earned through any combination of the listed public  
78 benefits.
- 79 3. Residential development in RS-5 through RM-20 zones with property specific  
80 development standards requiring any public benefit enumerated in this chapter shall be  
81 eligible to earn bonus dwelling units as set forth in subsection (4) of this section when the  
82 public benefits provided exceed the basic development standards of this title. When a  
83 development is located in a special overlay district, bonus units may be earned if the  
84 development provides public benefits exceeding corresponding standards of the special  
85 district.

4. The following are the public benefits eligible to earn density incentives through Residential Density Incentive review:

a. Historic Preservation.

	Benefit	Density Incentive
Type	Qualifying Conditions	Bonus
(i) Dedication of Site	(a) Dedication of a site containing a historic landmark to the City of Auburn or a qualifying nonprofit organization capable of restoring and/or maintaining the premises to standards set by the King County Landmarks Commission.	1.0 bonus unit per acre of historic site.
(ii) Restoration of Site or Structure	(a) Restoration of a site or structure designated as an historic landmark in to a specific architectural or site plan approved by the King County Landmarks Commission.	1.0 bonus unit per acre of site or 1,500 square feet of floor area of building restored.
(iii) Preservation of Site or Structure	(a) Project is located in any district designated in accordance with the City of Auburn Historic Preservation Code, Chapter 15.76 ACC, or any other district designated by City of Auburn ordinance or resolution intended to preserve, protect, enhance, and/or perpetuate those sites, buildings, districts, structures or objects which possess notable features or reflect significant elements of Auburn's, the county's, state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic, or other heritage. Applicant must demonstrate that project design advances the stated intent of the district designation. Preservation benefit would accrue based on Planning Director determination.	0.25 bonus units per acre of site or 1,000 square feet of floor area of building being preserved.

[Note: Staff comment: Density incentive bonus increased as requested. Please review amount of increase for dedication and restoration of site. Is amount appropriate?]

b. CriticalAreas.

	<b>Benefit</b>	<b>Density Incentive</b>
Type	Qualifying Conditions	Bonus
(i) Enhancement of required critical area buffer.	(a) Development which provides enhanced critical area buffers above and beyond that required by Title 16 ACC.	0.5 bonus unit for every additional 25% increase in buffer width (or area in the case of varying widths) over minimum requirements. Additional plantings and/or restoration of a low quality wetland/buffer may also qualify based on the report of a qualified restoration ecologist.

[Note: Council please review (i) above and consider whether to quantify plantings and wetland/buffer restoration stipulation.]

#### E. Rules for calculating total permitted dwelling units

1. The formula for calculating the total number of dwelling units permitted through Residential Density Incentive (RDI) review is as follows:

Dwelling units (DUs) allowed by RDI site base density + Bonus DUs = TOTAL RDI DUs.

2. The total dwelling units permitted through RDI review shall be calculated using the following steps:

- a. Calculate the number of dwellings permitted by the base density of the site in accordance with Chapter 18.06 ACC;
- b. Calculate the total number of bonus dwelling units earned by providing the public benefits listed in ACC 18.51.040D.4.;
- c. Add the number of bonus dwelling units earned to the number of dwelling units permitted by the base density; and
- d. Round fractional dwelling units to the nearest whole number per ACC 18.51.030D.

#### F. Review Process

1. All RDI proposals shall be reviewed concurrently with underlying permit applications. An applicant seeking a density bonus under residential density incentives must submit a narrative indicating how the proposed project qualifies for residential density incentive,

114 and indicating the number of dwelling units being proposed as part of the development  
115 that would qualify as units benefiting from residential density incentives.

116 2. RDI applications which propose to earn bonus units by dedicating real property or public  
117 facilities shall include a letter from the applicable receiving agency certifying that the  
118 proposed dedication qualifies for the density incentive and will be accepted by the agency  
119 or other qualifying organization.

120 G. Minor adjustments in final site plans.  
121

122 The Planning Director may allow minor adjustments in the approved site plan involving the  
123 location or dimensions of buildings or landscaping; provided such adjustments shall not:

- 124 1. Increase the number of dwelling units;  
125 2. Decrease the amount of perimeter landscaping (if any);  
126 3. Decrease residential parking facilities (unless the number of dwelling units is decreased);  
127 4. Locate structures closer to any site boundary line; or  
128 5. Change the locations of any points of ingress and egress to the site.

129 H. Applicability of development standards.

- 130 1. RDI developments shall comply with all dimensional standards of the underlying zone in  
131 which it is located; except that those proposals that qualify for flexible development  
132 alternatives as provided for in Chapter 18.49 ACC, shall be deemed to be in compliance  
133 with this requirement if they meet the alternative standards provided for in Chapter 18.49  
134 ACC; and those proposals that qualify for infill development standards as provided for in  
135 Chapter 18.25 ACC, shall be deemed to be in compliance with this requirement if they  
136 meet the alternative standards provided for in Chapter 18.25 ACC.